

**SECTION III**  
(pages 155 to 214)

**Report of the Fisheries Commission and its Subsidiary Body  
(STACTIC), 28<sup>th</sup> Annual Meeting  
18-22 September 2006  
Dartmouth, Nova Scotia, Canada**

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## PART I

### Report of the Fisheries Commission Meeting (FC Doc. 06/14)

#### 28<sup>th</sup> Annual Meeting, 18-22 September 2006 Dartmouth, Nova Scotia, Canada

##### I. Opening Procedures (*Agenda items 1-5*)

#### 1. Opening Remarks by the Chairman, V. Shibanov (Russia)

The meeting was opened by the Chair, Vladimir Shibanov (Russia), at 12:07 hrs on Monday, September 18, 2006. Representatives from the following Contracting Parties (CPs) were in attendance: Canada, Cuba, Denmark (in respect of the Faroes and Greenland), the European Union (EU), France (in respect of St. Pierre et Miquelon), Iceland, Japan, Republic of Korea, Norway, Russian Federation, Ukraine, and United States of America (Annex 1).

#### 2. Appointment of Rapporteur

Ricardo Federizon, FC Coordinator (NAFO Secretariat), was appointed Rapporteur for this meeting. As Rapporteur, he was responsible to maintain and prepare the record of decisions made by the Fisheries Commission (Annex 2).

#### 3. Adoption of Agenda

The agenda was **adopted** with an addition (Annex 3). The election of Vice-Chair was included as item 19.1 under "Other business".

#### 4. Guidance to STACTIC necessary for them to complete their work

The STACTIC Chair Mads Nedergaard presented the results of STACTIC June 2006 meeting (see item 7). Most of the agenda items concerning NAFO Reform remained inconclusive and the items were included in the September Annual Meeting agenda.

Recognizing the importance of the Reform issues, the EU suggested that STACTIC should focus on these issues at the September Annual Meeting. If necessary, the other STACTIC agenda items unrelated to Reform would have to be postponed. Norway and Canada agreed with the suggestion. The priority areas with respect to Reform that STACTIC should discuss are:

- Definition of infringements, including categories of seriousness of the infringements.
- Revision of the definition and requirement of re-routing vessels issued with Apparent Infringements to port for inspection.
- Clear interpretation of the NAFO Conservation and Enforcement Measures concerning by-catches, directed fisheries, and stowage plans.
- Measures concerning IUU and the establishment of a list of vessels involved in IUU activities.
- Port Inspection procedures.
- Establishment of guidelines implementing sanctions.

Concerning the area of sanctions, it was suggested by Norway that there should be a comparative analysis of the sanctions that flag States impose on their vessels. In addition, recognizing that the Monitoring, Surveillance and Control (MSC) measures might take time before they are implemented, STACTIC should also consider precautionary measures such as withdrawals or suspensions (see item 9).

## 5. Guidance to Scientific Council necessary for them to complete their work

The Chair of Scientific Council (SC), Antonio Vazquez (EU/Spain) presented scientific advice and other issues. Other than details on advice on yellowtail flounder, shrimp, and Greenland halibut stocks, questions arising from the presentation related mainly to other issues determined by the SC Chair (see item 10b). The deliberations on these issues, as well as the scientific advice, are presented in item 10.

## II. Administrative (*Agenda item 6*)

### 6. Review of Commission Membership

It was noted that the membership of the Fisheries Commission is currently twelve (12), i.e. all Contracting Parties except Bulgaria.

## III. Conservation and Enforcement Measures (*Agenda items 7-9*)

### 7. Report of STACTIC, June 2006 (Copenhagen)

The STACTIC June 2006 report (FC Doc. 06/2) was presented under agenda item 4.

### 8. Review of Chartering Arrangements

A report on the chartering arrangements was presented by the NAFO Secretariat (FC Working Paper 06/4). The Secretariat clarified upon an inquiry from the EU that the requirements stipulated in the Conservation and Enforcement Measures concerning chartering arrangements are complied with by the Contracting Parties involved.

### 9. Report of STACTIC at the Annual Meeting

The Chair of STACTIC, Mads Trolle Nedergaard (DFG) presented the STACTIC Report to the Fisheries Commission. As instructed, the STACTIC focused on the Reform issues on strengthening MSC measures (see item 4). In this regard, STACTIC produced six working papers containing recommendations on the changes of the CEM (STACTIC WP 06/27 Rev. 2 – WP 32 Rev.4). They covered the following specific areas:

- By-catch provisions (Article 9)
- Infringements and Serious Infringements (Articles 32 and 33)
- Follow-up actions under Joint Inspection and Surveillance Scheme (Chapter IV)
- Enforcement Measures (new Article)
- Provisions concerning Illegal, Unreported, Unregulated (IUU) fishing activities of Non-Contracting Parties (Article 48).

The recommendations on the revision of the Conservation and Enforcement Measures (CEM) contained in these working papers were subjected to intense deliberations and underwent revisions. The agreed revisions (except on IUU) were “packaged” in a single document FC Working Paper 06/23 (Annex 4) which was **adopted**. The new measures are part of the NAFO Reform initiative in accordance with paragraph 4c of the St. John’s Declaration which was adopted at the 2005 Annual Meeting.

The recommendations concerning IUU were forwarded to STACFAC for review. STACFAC forwarded the recommendations to the General Council for adoption (see Annex 9 of the STACFAC report, and the GC report).

In addition, a proposal from Iceland for an Observer Scheme based on the Observer Pilot Project as an option to the current Observer Program was forwarded to the FC for adoption. This is presented in item 13.

The agenda items requiring action by the FC and not related to Reform issues were deferred to the next intersessional meeting.

The Fisheries Commission **accepted** the STACTIC Report.

#### IV. Conservation of Fish Stocks in the Regulatory Area (*Agenda items 10-15*)

##### 10. Summary of Scientific Advice by the Scientific Council

###### Stock Assessments and recommendations (Scientific Council Chair)

The SC Chair, Antonio Vazquez (EU/Spain), presented a summary of the scientific advice to Fisheries Commission for 2007 and 2008. Details of the scientific advice are contained in Scientific Council Reports (2005) from November 2005 and in SCS Doc. 06/22 from the June 2006 meetings.

The SC Chair also presented trends of the physical environment (oceanography) of the NAFO waters and their influence on the marine resources. The highlights of the oceanographic conditions were:

- Air temperatures were above normal from West Greenland to the Scotian Shelf.
- The upper waters of the Labrador Sea were the warmest in the past 16 years.
- Sea surface temperatures were warmer than normal from the Labrador Sea to the Scotian Shelf.
- Ocean temperatures on the Newfoundland and Labrador Shelf remained well above normal, continuing the warm trend experienced since the mid-to-late 1990s.
- Sea-ice coverage remained below normal for the 11<sup>th</sup> consecutive year on the Newfoundland and Labrador Shelf.
- Historical data shows evidence that warm-saline ocean conditions were favourable for fish production (e.g. cod, capelin, salmon)
- Periods of colder conditions (e.g. early 1900s) coincided with increased invertebrate production (crab, shrimp).
- Environmental conditions appear to be important at early life history stages for many species as well as influencing growth rates, metabolism and reproduction

The following stocks were fully assessed including elaboration of scientific advice for 2007:

Species	Recommendation for 2007
Shrimp in Division 3M	TAC of 48 000 t.
Shrimp in Divisions 3LNO	TAC of 22 000 t for 2007 and should not be raised for a number of years to allow time to monitor the impact of the fishery upon this shrimp stock. The fishery should be restricted to Division 3L. The use of a sorting grid with a maximum bar spacing of 22 mm should be mandatory for all vessels in the fishery.
Greenland halibut in Subarea 2 and Divisions 3KLMNO	<p>SC noted that the 2004 and 2005 catches of 25 500 and 23 000 tons exceeded the rebuilding plan TAC by 27% and 22% respectively. It strongly recommends that steps should be taken to ensure that any bycatches of other species during the Greenland halibut fishery are true and unavoidable bycatches.</p> <p>Projections were conducted assuming that the catches in 2006 and 2007 do not exceed the rebuilding plan TAC and with catches in excess of 20%. Results indicate that for both scenarios fishing mortality is projected to remain relatively high, and projected biomass remains below the exploitable biomass in 2003 when the rebuilding plan was implemented. In all of these projection scenarios, the 2009 exploitable biomass remains well below the target level of biomass specified in the FC rebuilding plan. The SC noted that F should be reduced to a level no higher than F0.1 in order to provide a consistent increase of the 5+ exploitable biomass.</p>

The following stocks were fully assessed including elaboration of a scientific advice for 2007 and 2008:

Species	Recommendation for 2007/2008
Cod in Division 3M	No directed fishery for 2007-2008. Bycatch should be kept to the lowest possible level.
American Plaice in Division 3M	No directed fishery for 2007-2008. Bycatch should be kept to the lowest possible level.
Witch flounder in Divisions 3NO	No directed fishery for 2007-2008. Bycatch should be kept to the lowest possible level.
Yellowtail flounder in Divisions 3LNO	TAC should not exceed 15,500 t for 2007 and 2008 based on current harvest level $F=2/3F_{msy}$ . Under the Precautionary Approach Framework, the stock is in the safe zone at the current fishing regime. Projections were made under three different fishing mortality levels of 0.67, 0.75 and 0.85 of $F_{msy}$ . The probabilities of the biomass falling below $B_{msy}$ during the next 10 years were low under all of these levels of fishing mortality.
Thorny skates in Divisions 3LNOPs	Should be managed as a single unit – Div. 3LNOPs. TAC should not exceed 11,000 t in Div. 3LNOPs.
Squid ( <i>Illex</i> ) in Subareas 3+4	TAC for 2007-2008 should be between 19,000 – 34,000 t.

The following stocks were monitored and the SC found no significant change in the status for any of these stocks. There was no reason to change the advice given:

- Cod at Div. 3NO
- American plaice in Div. 3LNO
- Witch flounder in Div. 3L
- Redfish in Div. 3M
- Redfish in Div. 3O
- Capelin in Div. 3NO
- White hake in Divs. 3NO

Following special requests by the Fisheries Commission the following advice or comments were presented:

Species/Stocks/Topics	Advice and/or Comments
Redfish in Division 3O (mesh size)	The reduction of mesh size from 130 to 90-100 mm for bottom trawl fisheries is not supported.
Spiny Dogfish	Spiny dogfish occurring in the NRA constitute only a tiny fraction of the northwest Atlantic population. Only fish > 58 cm are observed on the Grand Banks indicating that early life history does not occur there.
Black Dogfish	Black dogfish is a bathydemersal species distributed along the entire length of Canadian and NRA slope waters mainly at depths > 700 m and also in the Laurentian Channel at depths of 350-600 m. Information on stock structure is conjectural but all evidence suggests that black dogfish in Canadian waters form a single stock and is different from those off Greenland.
Pelagic <i>Sebastes mentella</i> (redfish) in Subareas 1-3 and adjacent ICES Area	ICES continues to work on stock identity. Current studies are inconclusive. ICES recommended no fishing take place unless there are clear indications of recovery.
Identification of deepwater habitats and Ecologically and Biologically Significant Areas (EBSA)	SC recommends that criteria are developed for identifying sensitive areas. The collection of biological information important for safeguarding habitats from CP fishing surveys be incorporated as a standard routine in the surveys in the

	area, and further studies on bycatch be undertaken. Fishing in sensitive areas, for example on and around sea mounts be monitored possibly by the provision of summary information based on VMS. Contracting Parties should identify the expertise necessary to allow SC in addressing issues relating to safeguarding habitats.
Observer Program	SC recommends that scientific sampling by the NAFO Observer Program should manage to cover sampling catches of those CPs that do not have their own programs, and that the electronic recording forms designed by the Secretariat be adopted for use by the NAFO Observer Program for that purpose.
Seals	NAMMCO's request to be included in the ICES-NAFO WG on Harp and Hooded Seals is rejected.

**b) Other issues (as determined by SC)**

- **STATLANT21.** The SC Chair apprised the FC of the new deadline for the submission of STATLANT 21A and STATLANT 21B fisheries statistics -- May 01 and August 31, respectively.
- **VMS on catch and effort data be made available to SC for stock assessment purposes.** Concerns were expressed about the confidentiality issues in making the VMS data available. A proposal was made to make the VMS data available in summary form conforming to the confidentiality requirement (FC WP 06/13 Rev.). The proposal was **adopted**. (Annex 5)
- **Proposal to require monthly provisional catch submissions by flag State.** The EU indicated that this will entail difficulty in implementation. No action was taken on this proposal.
- **OMEGA Mesh Gauge.** FC was informed that this instrument for measuring mesh sizes was adopted by SC as the standard tool in its scientific studies. FC might consider this instrument for the inspectors to use for compliance/inspection purposes. FC referred this matter to STACTIC.

**11. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2007**

**11.1 Cod in Div. 3M**

In accordance with the scientific advice, it was decided that the moratorium and other provisions for this stock be continued in 2007 and 2008. By-catch provisions as formulated in the NAFO CEM Article 9 apply.

**11.2 American plaice in Div. 3M**

In accordance with the scientific advice, it was decided that the moratorium and other provisions for this stock be continued in 2007 and 2008. By-catch provisions as formulated in the NAFO CEM Article 9 apply.

**11.3 Shrimp in Div. 3M**

The Scientific Council recommended a TAC of 48 000 t for this stock. There was no unanimous agreement regarding management measures for this stock. Iceland maintained its previous position that the provisions and measures in the NAFO CEM concerning this stock are contrary to the scientific advice. The Fisheries Commission decided that the 2006 provisions be applied in 2007 and noted the reservation of Iceland.

A proposal to revise the CEM articles relevant to 3M shrimp fisheries (FC Working Paper 06/24) – Article 19 Product Labelling Requirements, and Article 20 Recording of Catch and Stowage – was **adopted**. (Annex 6)

## 12. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2007

### 12.1 Witch flounder in Divs. 3NO

In accordance with the scientific advice, it was decided that the 2006 moratorium and other provisions for this stock be continued in 2007 and 2008. By-catch provisions as formulated in the NAFO CEM Article 9 apply.

### 12.2 Yellowtail flounder in Divs. 3LNO (PA framework)

The USA proposed a TAC of 17 200 for years 2007-2008 and an allocation scheme described in FC Working Papers 06/2 and 06/20. No consensus was reached on this proposal. It was decided that the allocation scheme of 2006 be applied in 2007. The TAC is 15 500 t, based on the scientific advice. The USA registered its reservation to this decision.

### 12.3 Thorny skate in Divs. 3LNO

It was agreed that the TAC of 13 500 t and the allocation scheme be maintained for 2007. The US noted that the SC advice for this stock is 11 000 t in Divs.3LNOPs.

### 12.4 Squid (*Illex*) in Subareas 3 and 4

It was agreed that the TAC of 34 000 t and the allocation scheme be maintained for 2007 and 2008. Canada has noted that this stock has shown a potential for increased productivity and reserves the option to consider a higher TAC for 2008.

### 12.5 Greenland halibut in Subarea 2 and Divs. 3KLMNO (rebuilding plan)

It was decided that the Rebuilding Plan for Divs. 3LMNO Greenland halibut will be continued for 2007. Therefore, the TAC of 11 856 t in Divs. 3LMNO for 2007 which had been adopted in the framework of the Rebuilding Plan will remain unchanged. According to the Rebuilding Plan, the TAC for Greenland halibut in Subarea 2 and Divisions 3KLMNO is 16 000 tons for 2007.

### 12.6 Shrimp in Divs. 3LNO

No action was taken concerning the TAC and the allocation scheme. Based on the SC advice, the TAC for 2007 remains at the 2006 level, i.e. 22 000 t. It was also decided that the provisions of the 2006 allocation scheme be applicable in 2007. The reservation of Denmark (in respect of Faroes and Greenland) on the allocation scheme was noted.

A proposal to revise the CEM Articles relevant to 3L shrimp fisheries (FC Working Paper 06/24) – Article 6 Shrimp in Division 3L, Article 19 Product Labelling Requirements, and Article 20 Recording of Catch and Stowage – was **adopted**. (Annex 6)

A proposal from Denmark (in respect of the Faroes and Greenland) to amend the time restrictions for 3L fishery (FC WP 06/15) was **adopted**. (Annex 7)

### 12.7 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area

It was decided that the TAC in 2007 is 16 914 t. The allocation scheme of the 2006 provision applies in 2007. The TAC is based on a 17% reduction of TAC for this shared stock by NEAFC effective March 14, 2006. It was noted that the 2007 TAC may be revised accordingly when NEAFC determines its new TAC in November 2006, following the procedure described in Footnote 10 of the Quota Table.

The proposal to append an item e) paragraph 1 of Article 10 of the CEM was **adopted** to read (FC Working Paper 06/17 Rev.): Article 10. Gear Requirements 1. Minimum authorized mesh size shall be as follows: e) 100 mm for pelagic *Sebastes mentella* (oceanic redfish) in Sub-area 2 and Divisions 1F & 3K. (Annex 8)

Footnote 10 was revised to read: “In case of the NEAFC decision which modifies the level of TAC in 2007 as compared with 2006, these figures shall be accordingly adjusted by NAFO and formalized through a mail vote.”

### **12.8 Redfish in Div. 3O (minimum mesh size)**

In view of the Scientific Council stand that it does not support reducing the current minimum mesh size of 130 mm of bottom trawl gears for this fishery, deliberations ensued on the issue of harmonization of the mesh size regulations in the Canadian EEZ (currently 90 mm) and NAFO Regulatory Area. The FC has forwarded a request to the SC to evaluate the scientific justification of the mesh size harmonization (item 8 of FC Working Paper 06/22) (Annex 11), addressing among others the ramifications on the bycatch of American plaice and cod.

### **12.9 Management of Currently Unregulated Stocks**

#### **i. Spiny dogfish**

#### **ii. Black dogfish**

No specific management measures were formulated for these elasmobranch species. The USA stressed that at the 1998 Annual Meeting, a recommendation from the Scientific Council that catch reporting of elasmobranchs (sharks, skates, rays and chimaeras) be made in a maximum degree of detail, i.e. species level was adopted. The detailed reporting has never been practiced as confirmed by the Scientific Council. The USA reiterated that the practice of catch reporting of elasmobranchs should be consistent with the 1998 adopted recommendation, and that progress should be reported for consideration at the 2007 Annual Meeting (FC Working Paper 06/12).

The Quota Table for 2007, Effort Allocation Scheme for Shrimp Fishery in NAFO Division 3M, 2007 and Rebuilding Plan for 3LMNO Greenland halibut (CEM Annexes I.A, I.B, I.C, respectively) can be found in Annex 9 to this Report.

### **13. Structure and Coverage of Observer Program**

Iceland proposed an Observer Scheme based on the Pilot Project on Observers as an option to the current observer program (STACTIC WP 06/33 Rev. 3). The proposed scheme, according to Iceland, has proven to be less costly and more efficient than the current observer program. It entails 25% coverage in contrast to the 100% in the current scheme. Contracting Parties will have the option to implement either the proposed or the existing observer scheme. The proposal was supported by Norway, Denmark (in respect of Faroes and Greenland), and the EU. Russia expressed support for the current Observer Scheme. Ukraine expressed its reservation on the proposal maintaining that any observer scheme should have coverage not lower than 50%. The proposal was **adopted** noting the position of Russia and the reservation of Ukraine. (Annex 10)

### **14. Reform of NAFO (issues outlined in paragraph 5 of the St. John’s Declaration)**

Canada presented a discussion paper on the management fishing capacity in the NAFO Regulatory Area (FC Working Paper 06/9) and a proposal for an action plan on fishing capacity management (FC Working Paper 06/10). The proposed action plan entails establishment of a working group to define and assess the problem of overcapacity in fisheries that could undermine the conservation objectives of NAFO. Under the action plan, the working group would make recommendations to the Fisheries Commission on corrective actions and develop a formal NAFO Plan of Action for the Management of Fishing Capacity in all its fisheries. The EU indicated it deals with the issue of management of fishing capacity concerning its fleet as an “everyday issue” and considers the proposal in its current form redundant. There was no further discussion on the proposal and no action was taken at the meeting.

### **15. Formulation of Request to the Scientific Council for scientific advice on the management of fish stocks in 2008**

The Fisheries Commission **adopted** the paper containing its request for scientific advice to the Scientific Council (FC WP 06/22 Rev.). (Annex 11)

## V. Ecosystem Considerations (*Agenda items 16-17*)

### 16. Areas of Ecological and Biological Significance in the NAFO Area.

A resolution proposed by USA and Japan on protecting sea turtles in the NAFO Convention Area (FC WP 06/14) was **adopted**. (Annex 12)

With the objective of protecting vulnerable habitats and other ecologically sensitive areas in the NAFO Area, Canada proposed a closure to all fishing activities on and around four seamounts within the defined coordinates. Russia expressed its view that the closure should be limited only to bottom fishing gears. The President (who chaired the meeting when this item was discussed) gave the task to the Secretariat to revise the text of the proposal by incorporating the term “demersal” or “groundfish” to accommodate the position of Russia. The proposal (FC WP 06/11 Rev. 5) was **adopted** with this understanding. (Annex 13). It was also agreed that this action was an initial step that could be followed by additional action.

### 17. Role of Seals in the Marine Ecosystem

Denmark (in respect of Faroes and Greenland) expressed surprise at the recommendation of the SC to reject NAMMCO’s request to be included in the NAFO-ICES Working Group on Harp and Hooded Seals, noting that the SC had itself recognised the need to seek expertise in other international bodies on questions related to the ecosystem. Recognizing the importance of seals as top predators in the fisheries ecosystem, it was stressed that NAFO should be abreast with the latest available information on the role of seals and their impact on fish stocks in the NAFO area. In this regard, SC was requested to provide the Fisheries Commission at its next Annual Meeting with an update on the knowledge related to the role of seals in the marine ecosystem of the Northwest Atlantic, taking into account the work of other relevant organizations, including ICES and NAMMCO (see item 7 of FC WP 06/22 Rev.). (Annex 11)

## VI. Closing Procedure (*Agenda items 18-20*)

### 18. Time and Place of the Next Meeting

This item was deferred to the General Council which decided that the next Annual Meeting will be held during 24-28 September 2007 in Lisbon, Portugal.

### 19. Other Business

#### i. Election of Vice-Chair

Kate Sanderson of Denmark (in respect of Faroes and Greenland) was unanimously elected Vice Chair to replace Kolbeinn Arnason of Iceland.

### 20. Adjournment

The meeting was adjourned at 14:00 on Friday, 22 September 2006.

## Annex 1. List of Participants

### CANADA

#### Head of Delegation

David Bevan, Assistant Deputy Minister, Fisheries and Aquaculture Management, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6  
Phone: +613 990 9864 – Fax: +613 990 9557 – [bevand@dfo-mpo.gc.ca](mailto:bevand@dfo-mpo.gc.ca)

#### Alternate (General Council)

Guy Beaupré, Director General, International Affairs Directorate, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6  
Phone: +613 993 1873 – Fax: +613 993 5995 – E-mail: [beaupreg@dfo-mpo.gc.ca](mailto:beaupreg@dfo-mpo.gc.ca)

#### Representatives

David Bevan (see address above)  
Earle McCurdy, President, Fishermen, Food and Allied Workers Union/CAW, P. O. Box 10, St. John's, NL A1C 5H5  
Phone: +709 576 7276 - Fax: +709 576 1962 – E-mail: [emccurdy@ffaw.nfld.net](mailto:emccurdy@ffaw.nfld.net)  
Derrick Rowe, Chairman, Marport Canada Inc., 50 Harbour Drive, St. John's, NL A1C 6J4  
Phone: +709 757 5757 – Fax: +709 757 5858 – E-mail: [drowe@marport.com](mailto:drowe@marport.com)

#### Advisers

Chris Allen, Senior Advisor, Fisheries, Environment & Biodiversity Science Directorate, Fisheries and Oceans Canada, 200 Kent Street, 12th Floor, Ottawa, Ontario K1A 0E6  
Phone: +613 990 0105 - Fax: +613 954 0807 – E-mail: [allenc@dfo-mpo.gc.ca](mailto:allenc@dfo-mpo.gc.ca)  
Jim Baird, Associate Regional Director General, Newfoundland and Labrador Region, Fisheries and Oceans Canada, P. O. Box 5667, St John's, Newfoundland & Labrador A1C 5X1  
Phone: +709 772 2420 - Fax: +709 772 2387 – E-mail: [bairdj@dfo-mpo.gc.ca](mailto:bairdj@dfo-mpo.gc.ca)  
Bill Brodie, Senior Science Coordinator / Advisor, NAFO, Newfoundland and Labrador Region, Science Br., 80 East White Hills Rd., P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1  
Phone: +709 772 3288 - Fax: +709 772 4105 - E-mail: [brodieb@dfo-mpo.gc.ca](mailto:brodieb@dfo-mpo.gc.ca)  
Willie Bruce, Regional Director, Fisheries Management, DFO, Newfoundland and Labrador Region, P. O. Box 5667, St. John's, NL A1C 5X1  
Phone: +709 772 4543 – Fax: +709 772 2046 – E-mail: [brucew@dfo-mpo.gc.ca](mailto:brucew@dfo-mpo.gc.ca)  
Russ Carrigan, Fishery Products International, 70 O'Leary Ave., P. O. Box 550, St. John's, NL A1C 5L1  
Phone: +709 570 0130 – Fax: +709 570 0479 – E-mail: [rcarrigan@fpil.com](mailto:rcarrigan@fpil.com)  
Bruce Chapman, Executive Director, Groundfish Enterprise Allocation Council, 1376 Revell Drive, Manotick, Ontario K4M 1K8  
Phone: +613 692 8249 - Fax: +613 692 8250 - E-mail: [bchapman@sympatico.ca](mailto:bchapman@sympatico.ca)  
G. Michael Cherry, Fisheries and Oceans Canada, Maritime Region, 176 Portland St., Marine House, P. O. Box 1035, Dartmouth, N.S. B2Y 4T3  
Phone: +902 429 2392 – Fax: +902 426 8003 – E-mail: [cherrym@mar.dfo-mpo.gc.ca](mailto:cherrym@mar.dfo-mpo.gc.ca)  
Eugene Colbourne, Science Br., DFO, Newfoundland & Labrador Region, P. O. Box 5667, St. John's, NL A1C 5X1  
Phone: +709 772 6106 - Fax: +709 772 4105 - E-mail: [colbourn@dfo-mpo.gc.ca](mailto:colbourn@dfo-mpo.gc.ca)  
Robert Day, International Coordination and Policy Analysis, Fisheries and Oceans Canada, 200 Kent St., Ottawa, Ontario K1A 0E6  
Phone: +613 991 6135 – E-mail: [dayr@dfo-mpo.gc.ca](mailto:dayr@dfo-mpo.gc.ca)  
Amos Donohue, Senior Counsel, Public International Law and Activities Section, Department of Justice, 284 Wellington Street, Office 3307, Ottawa, Ontario K1A 0H8  
Phone: +1 613 952 3724 – Fax: +1 613 941 1971 – E-mail: [adonohue@justice.gc.ca](mailto:adonohue@justice.gc.ca)

Tom Dooley, Director, Resource Policy, Dept. of Fisheries and Aquaculture, P. O. Box 8700, St. John's, NL A1B 4J6  
 Phone: +709 729 0335 – Fax: +709 729 1117 – E-mail: [tdooley@gov.nl.ca](mailto:tdooley@gov.nl.ca)

Bob Fagan, Communications Officer, Northwest Atlantic Fisheries Center, 1 East White Hills Road, P. O. Box 5667, St. John's, NL A1C 5X1  
 Phone: +709 772 7627 – Fax: +709 772 4880 – E-mail: [faganr@dfo-mpo.gc.ca](mailto:faganr@dfo-mpo.gc.ca)

Wayne Follett, Regional Director General, Newfoundland Region, Fisheries and Oceans Canada, P. O. Box 5667, St. John's, NL A1C 5X1  
 Phone: +709 772 4417 – Fax: +709 772 6306 – E-mail: [follettw@dfo-mpo.gc.ca](mailto:follettw@dfo-mpo.gc.ca)

Jorgen Hansen, Senior Advisor, Resource Management, Scotia-Fundy Sector, Fisheries & Oceans Canada, 176 Portland St., 5<sup>th</sup> Floor, Marine House, P. O. Box 1035, Dartmouth, N.S. B2Y 4T3  
 Phone: +902 426 9046 – Fax: +902 426 9683 – E-mail: [hansenj@mar.dfo-mpo.gc.ca](mailto:hansenj@mar.dfo-mpo.gc.ca)

Morley Knight, Director, Conservation and Protection Div., Fisheries Management, Fisheries and Oceans Canada, P. O. Box 5667, St. John's, NL A1C 5X1  
 Phone: +709 772 4494 – Fax: +709 772 5983 – E-mail: [knightm@dfo-mpo.gc.ca](mailto:knightm@dfo-mpo.gc.ca)

Brian Lester, Advisor, Resource Management, Dept. of Fisheries and Oceans, 200 Kent Street, Ottawa, Ontario K1A 0E6  
 Phone: +613 990 0090 – Fax: +613 990 7051 – E-mail: [lesterb@dfo-mpo.gc.ca](mailto:lesterb@dfo-mpo.gc.ca)

Keith Lewis, Oceans Law Section (JLOA), Oceans and Environmental Law, Foreign Affairs and International Trade Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2  
 Phone: +613 944 3077 – Fax : +613 992 6483 – E-mail : [keith.lewis@international.gc.ca](mailto:keith.lewis@international.gc.ca)

Jeff MacDonald, Director, Atlantic Fisheries & International Governance, International Affairs Directorate, Stn. 8E213, Fisheries and Oceans Canada, 200 Kent Street, Ottawa, Ontario K1A 0E6  
 Phone: +1 613 993 1860 – Fax: +1 613 993 5995 – E-mail: [macdonaldjeff@dfo-mpo.gc.ca](mailto:macdonaldjeff@dfo-mpo.gc.ca)

Patrick McGuinness, President, Fisheries Council of Canada, #900 – 170 Laurier Avenue West, Ottawa, Ontario K1P 5V5  
 Phone: +1 613 727 7450 – Fax: +1 613 727 7453 – E-mail: [pmcguinness@fisheriescouncil.org](mailto:pmcguinness@fisheriescouncil.org)

Peter Matthews, Clearwater Seafoods Limited Partnership, P. O. Box 459, Lunenburg, N.S. B0J 2C0  
 Phone: +902 634 2692 – Fax: +902 634 8357 – E-mail: [pmatthews@clearwater.ca](mailto:pmatthews@clearwater.ca)

Brent Napier, International Fisheries Officer, International Affairs Directorate, Fisheries and Oceans Canada, 8E-234, 200 Kent St., Ottawa, Ontario K1A 0E6  
 Phone: +613 998 3805 – Fax: +613 990 9557 – E-mail: [napierb@dfo-mpo.gc.ca](mailto:napierb@dfo-mpo.gc.ca)

Michael O'Connor, Managing Director, Icewater Harvesting Inc., P. O. Box 89, Arnold's Cove, NL A0B 1A0  
 Phone: +902 482 7747 – Fax: +902 482 8146 – E-mail: [mcoconnor@eastlink.ca](mailto:mcoconnor@eastlink.ca)

Alastair O'Rielly, Deputy Minister, Dept. of Fisheries and Aquaculture, P. O. Box 8700, Petten Bldg., St. John's, NL A1B 4J6  
 Phone: +709 729 3707 – Fax: +709 729 4219 – E-mail: [aorielly@gov.nl.ca](mailto:aorielly@gov.nl.ca)

Dave Orr, Research Biologist, Shrimp, Shellfish Section, Aquatic Resources Div., Science Br., Fisheries and Oceans Canada, Newfoundland & Labrador Region, 80 East White Hills Rd., P. O. Box 5667, St. John's, NL A1C 5X1  
 Phone: +709 772 7343 – Fax: +709 772 4105 – E-mail: [orrd@dfo-mpo.gc.ca](mailto:orrd@dfo-mpo.gc.ca)

Christiane Parcigneau, Senior Communications Advisor, Public Affairs and Strategic Communications, Communications Br., Fisheries and Oceans Canada, 200 Kent St., 13<sup>th</sup> Fl., Stn. 13E255, Ottawa, Ontario K1A 0E6  
 Phone: +1 613 998 1530 – Fax: +1 613 990 1866 – E-mail: [parcigneauC@dfo-mpo.gc.ca](mailto:parcigneauC@dfo-mpo.gc.ca)

Christine Penney, Director of Corporate Affairs, Clearwater Seafoods Ltd. Partnership, 757 Bedford Highway, Bedford, Nova Scotia B4A 3Z7  
 Phone: +902 457 2348 – Fax: +902 443-8443 – E-mail: [cpenney@clearwater.ca](mailto:cpenney@clearwater.ca)

Rosalind Perry, Executive Director, Northern Coalition, P. O. Box 6421, 189 Water St., Suite 301, St. John's, NL  
 Phone: +709 722 4404 – Fax: +709 722 4454 – E-mail: [rwalsh@nfld.net](mailto:rwalsh@nfld.net)

Don Power, Science Br., Fisheries and Oceans Canada, Newfoundland & Labrador Region, 80 East White Hills Rd., P. O. Box 5667, St. John's, Newfoundland & Labrador A1C 5X1  
 Phone: +709 772 4935 – Fax: +709 772 4105 – E-mail: [powerd@dfo-mpo.gc.ca](mailto:powerd@dfo-mpo.gc.ca)

Clary Reardon, Manager, Marine and Coastal Advisory Services, Fisheries and Aquaculture, Marine Fisheries, 5151 George St., 6<sup>th</sup> Floor, P. O. Box 2223, Halifax, N.S. B3J 3C4  
 Phone: +902 424 0349 – Fax: +902 424 1766 – E-mail: [reardonc@gov.ns.ca](mailto:reardonc@gov.ns.ca)

Lori Ridgeway, Director General, International Coordination and Policy Analysis, Fisheries and Oceans Canada, 200 Kent St., 14<sup>th</sup> Floor, Ottawa, Ontario K1A 0E6  
 Phone: +613 993 1914 – Fax: +613 990 9574 – E-mail: [RidgewayL@dfo-mpo.gc.ca](mailto:RidgewayL@dfo-mpo.gc.ca)

Marie-Eve Rouleau, Fisheries and Oceans Canada, Atlantic Affairs Div., 200 Kent Street, Ottawa, Ontario K1A 0E6  
Phone: +613 990 9387 – Fax: +613 993 5995

Faith Scattolon, Regional Director General, Fisheries and Oceans Canada, Maritime Region, 176 Portland St.,  
Marine House, P. O. Box 1035, Dartmouth, N.S. B2Y 4T3

Phone: +1 902 426 2481 – Fax: +1 902 426 5034 – E-mail: [scattolonf@mar.dfo-mpo.gc.ca](mailto:scattolonf@mar.dfo-mpo.gc.ca)

Beverley Sheppard, Manager, Harbour Grace Shrimp Co. Ltd., P. O. Box 580, Harbour Grace, NL A0A 2M0  
Phone: +709 596 8000 – Fax: +709 596 8002 – E-mail: [bsheppard@hgsc.ca](mailto:bsheppard@hgsc.ca)

Max Short, Special Advisor, NAFO, Fisheries Management Br., Dept. of Fisheries and Oceans, P. O. Box 5667, St.  
John's, NL A1C 5X1

Phone: +709 772 6369, Cell +709 682 5110 – Fax: +709 772 2046 – E-mail: [shortm@dfo-mpo.gc.ca](mailto:shortm@dfo-mpo.gc.ca)

Paul Steele, Director-General, Conservation and Protection, Fisheries Management, Fisheries and Oceans, Canada,  
200 Kent Street, Ottawa, Ontario K1A 0E6

Phone: +613 990 0109 – Fax +613 941 2718 – E-mail: [steelep@dfo-mpo.gc.ca](mailto:steelep@dfo-mpo.gc.ca)

Bob Steinbock, Senior International Fisheries Advisor, Atlantic Affairs & International Governance Div.,  
International Affairs Directorate, Fisheries & Aquaculture Management, Fisheries and Oceans Canada, 200 Kent  
St., Ottawa, Ontario K1A 0E6

Phone: +613 993 1836 – Fax: +613 993 5995 – E-mail: [steinbob@dfo-mpo.gc.ca](mailto:steinbob@dfo-mpo.gc.ca)

Roger Stirling, President, Seafood Producers Association of Nova Scotia, P. O. Box 991, Dartmouth, NS B2Y 3Z6  
Phone: +902 463 7790 – Fax: +902 469 8294 – E-mail: [spans@ns.sympatico.ca](mailto:spans@ns.sympatico.ca)

Leo Strowbridge, Director, International Programs and Corporate Services, Fisheries Management Br., Fisheries &  
Oceans Canada, P. O. Box 5667, St. John's, NL A1C 5X1

Phone : +709 772 8021 – Fax : +709 772 2046 – E-mail : [strowbridgel@dfo-mpo.gc.ca](mailto:strowbridgel@dfo-mpo.gc.ca)

Karl Sullivan, V.P. Corporate Planning, Barry Group, 139 Water Street, 8<sup>th</sup> Floor, St. John's, NL

Phone: +709 576 7292; +709 574 9245 – Fax: +709 576 8843 – E-mail: [ksull@barrysgroupinc.com](mailto:ksull@barrysgroupinc.com)

Scott Tessier, Chief of Staff, Office of the Minister, Fisheries and Oceans Canada, 200 Kent St., 15<sup>th</sup> Floor, Ottawa,  
Ontario K1A 0E6

Phone: +613 992 3474 – Fax: +613 947 4285 – E-mail: [tessiersc@dfo-mpo.gc.ca](mailto:tessiersc@dfo-mpo.gc.ca)

Jerry Ward, CEO, Baffin Fisheries Coalition, P. O. Box 6008, Iqaluit, Nunavut X0A 0H0

Phone: +867 979 3066 – Fax: +867 979 3068 – E-mail: [jvward@nl.rogers.com](mailto:jvward@nl.rogers.com)

Lorne Wheeler, Senior Policy Advisor, Office of the Minister, Fisheries and Oceans Canada, 200 Kent St., 15<sup>th</sup>  
Floor, Ottawa, Ontario K1A 0E6

Phone: +613 992 3474 – Fax: +613 947 7082 – E-mail: [wheelerl@dfo-mpo.gc.ca](mailto:wheelerl@dfo-mpo.gc.ca)

Ben Whelan, NAFO Coordinator, Fisheries and Oceans Canada, Fisheries & Aquaculture, Management Br., P. O.  
Box 5667, St. John's, Newfoundland and Labrador A1C 5X1

Phone : +709 772 0928 – Fax : +709 772 2046 – E-mail : [whelanb@dfo-mpo.gc.ca](mailto:whelanb@dfo-mpo.gc.ca)

## CUBA

### Head of Delegation

Victor Sarda Espinosa, Director of International Affairs of the Ministry of Fishing Industry, 5<sup>ta</sup> Ave. y 246, Playa,  
Ciudad Habana

Phone: + 209 7034- Fax: +204 9168 – E-mail: [vsarda@mip.telemar.cu](mailto:vsarda@mip.telemar.cu)

### Adviser

Luis Dominguez Benitez, Director of Dragnets, Avenida dul Puerto y Atares, 5/N Muelle Osvaldo Sanches, C. Habana

Phone: + 861 9674 - E-mail: [dragnets@pespor.telemar.cu](mailto:dragnets@pespor.telemar.cu)

## DENMARK (IN RESPECT OF FAROES AND GREENLAND)

### Head of Delegation

Kate Sanderson, Counsellor, Ministry of Fisheries and Maritime Affairs, Heyksvegur 6, P. O. Box 347, FO-100  
Torshavn, Faroe Islands

Phone: + 298 35 32 47 - Fax: +298 35 30 37 - E-mail: [kate@fisk.fo](mailto:kate@fisk.fo)

**Alternate**

Frederik Schmidt, Head of Section, Department of Fisheries and Hunting, Greenland Home Rule, P. O. Box 269, DK-3900, Nuuk, Greenland

Phone: +299 345329 - Fax: +299 324704 - E-mail: [frsc@gh.gl](mailto:frsc@gh.gl)

**Advisers**

Helle I. Ø. Jørgensbye Hansen, Head of Section, Gronlands Fiskerilicenskontrol, Greenland Home Rule, Postbox 501, DK-3900 Nuuk, Greenland

Phone: +299 345000 – Fax: +299 324704 – E-mail: [hhan@gh.gl](mailto:hhan@gh.gl)

Jóhan Joensen, Faroe Shipowners Association, Gongin 10, P.O. Box 361, FO-110 Torshavn, Faroe Islands

Phone: +298 311800 – Fax: +298 320380 – E-mail: [shipown@post.olivant.fo](mailto:shipown@post.olivant.fo)

Simun Joensen, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, Heykavegur 6, FO-110 Torshavn, Faroe Islands

Phone: +298 353030 – Fax : +298 313981 - E-mail: [simunj@fve.fo](mailto:simunj@fve.fo)

Martin Kruse, Adviser, FMC-Manager, Fisheries Inspection, Ministry of Fisheries and Maritime Affairs, P. O. Box 347, FO-110 Torshavn, Faroe Islands

Phone: +298 311065 – Fax: +298 313981 – E-mail: [martink@fve.fo](mailto:martink@fve.fo)

Mads Trolle Nedergaard, Fiskerilicensinspektør, Head of Unit, Gronlands Fiskerilicenskontrol, Postbox 501, DK-3900 Nuuk, Greenland

Phone: +299 345377 - Fax: +299 323235 - E-mail: [mads@gh.gl](mailto:mads@gh.gl)

**EUROPEAN UNION****Head of Delegation**

J. Spencer, Head of Unit, International and Regional Arrangements, European Commission, Fisheries Directorate General, 200 Rue de la Loi/Wetstraat, B-1049 Brussels, Belgium

Phone: +32 2 295 6858 - Fax: +32 2 295 5700 – E-mail: [edward-john.spencer@ec.europa.eu](mailto:edward-john.spencer@ec.europa.eu)

**Alternate**

Valerie Laine, Principal Administrator, International and Regional Agreements, European Commission, Directorate General for Fisheries and Maritime Affairs, Rue Joseph II-99, BE-1000 Brussels, Belgium

Phone: +32 2 296 5341 – Fax: +32 2 295 5700 – E-mail: [valerie.laine@ec.europa.eu](mailto:valerie.laine@ec.europa.eu)

**Advisers****(EU Commission)**

Staffan Ekwall, Principal Administrator, European Commission, DG FISH, External Policy and Markets, International and Regional Arrangements, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 299 6907 – Fax: +32 2 295 5700 – E-mail: [staffan.ekwall@ec.europa.eu](mailto:staffan.ekwall@ec.europa.eu)

Martin Newman, Principal Administrator, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 295 7449 – Fax: +32 2 296 2338 – E-mail: [martin.newman@ec.europa.eu](mailto:martin.newman@ec.europa.eu)

Susana Junquera, European Commission, Joseph II 99, B-1040 Brussels, Belgium

Phone: +32 2 298 4727 – Fax: +32 2 295 5700 – E-mail: [susana.junquera@cec.eu.int](mailto:susana.junquera@cec.eu.int)

Jose Mesquita, European Commission, DG FISH, Rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium

Phone: +32 2 296 0706 – Fax: +32 2 296 2338 – E-mail: [jose.mesquita@ec.europa.eu](mailto:jose.mesquita@ec.europa.eu)

Fred Kingston, Senior Adviser, Economic and Commercial Affairs, Delegation of the European Commission in Canada, 45 O'Connor Street, Suite 1900, Ottawa, Ontario, Canada K1P 1A4

Phone: +613 238 6464 – Fax: +613 238 5191 – E-mail: [fred.kingston@ec.europa.eu](mailto:fred.kingston@ec.europa.eu)

**(EU Council)**

Mariano Abad Menendez, Principal Administrator, Council of the European Union, General Secretariat, DG-BIII -Fisheries, Rue de la Loi 175, B-1048 Brussels, Belgium

Phone: +32 2 285 5093 – Fax: 32 2 285 6910 - E-mail: [mariano.abad@consilium.eu.int](mailto:mariano.abad@consilium.eu.int)

**(EU – Finland) (Council Presidency)**

Jarmo Vilhunen, Senior Officer, Ministry of Agriculture and Forestry, Dept. of Fisheries and Game, Mariankatu 23, P. O. Box 30, Helsinki, FI-00023

Phone: +358 9 1605 2902 - Fax: +358 9 1605 2640 - E-mail: [jarmo.vilhunen@mmm.fi](mailto:jarmo.vilhunen@mmm.fi)

**(EU Parliament)**

Michael Topping, Principal Administrator, Committee on Fisheries, European Parliament, B-1047 Brussels, Belgium

Phone: +32 2 284 3960 – Fax: +32 2 284 4909 – E-mail: [mtopping@europarl.eu.int](mailto:mtopping@europarl.eu.int)

**(EU – Estonia)**

Els Ulman-Kuuskman, Leading Inspector, Estonian Environmental Inspectorate, Kopli 76, Tallinn 10416

Phone: +372 534 78637 – Fax: +372 676 2232 – E-mail: [els.ulman@kki.ee](mailto:els.ulman@kki.ee)

Merje Frey, Deputy of Head, Fishery Economics Department, Ministry of Agriculture, Lai 39/41, Tallinn

Phone: +372 6856513 – Fax: +372 6256515 – E-mail: [merje.frey@agri.ee](mailto:merje.frey@agri.ee)

Kaire Martin, Fishery Resources Dept., Ministry of the Environment, Narva mnt 7a, 15172 Tallinn

Phone: +372 626 0718 - Fax: +372 626 0710 - E-mail: [kaire.martin@ekm.envir.ee](mailto:kaire.martin@ekm.envir.ee)

Indrek Soe, Estonian Environmental Inspectorate, Kopli 76, Tallinn 10416

Phone: +372 562 63581 – Fax: +372 676 2232 – E-mail: [indrek.soe@kki.ee](mailto:indrek.soe@kki.ee)

Ain Soome, Director General, Fishery Resources Dept., Ministry of the Environment, Narva mnt 7a, 15172 Tallinn

Phone: +372 626 0711 – Fax: +372 626 0710 – E-mail: [ain.soome@ekm.envir.ee](mailto:ain.soome@ekm.envir.ee)

Hjalmar Vilhjalmsson, Manager, Reyktal AS, Veerenni 39, 10138 Tallinn

Phone: +372 6276 552 – Fax: +372 6276 555 – E-mail: [reyktal@reyktal.ee](mailto:reyktal@reyktal.ee)

**(EU – France)**

Christophe Lenormand, Direction des pêches maritimes et d'aquaculture, Bureau de la ressource, de la réglementation et des affaires Internationales, Ministère de l'agriculture et de la pêche, 3, place de Fontenoy 75007 Paris

Phone: +33 1 49 55 82 38 – Fax: +33 1 49 55 82 00 – E-mail: [christophe.lenormand@agriculture.gouv.fr](mailto:christophe.lenormand@agriculture.gouv.fr)

**(EU – Germany)**

Hermann Pott, Bundesministerium für Verbraucherschutz, Ernährung und Landwirtschaft, Rochusstr. 1, 53123 Bonn

Phone: +49 228 529 4124 - Fax: +49 228 529 4410 – Email: [Hermann.Pott@bmelv.bund.de](mailto:Hermann.Pott@bmelv.bund.de)

Manfred Stein, Institut für Seefischerei, Palmaille 9, D-22767, Hamburg

Phone: +49 40 389 05174 – Fax: +49 40 38905 263 – E-mail: [manfred.stein@ish.bfa-fisch.de](mailto:manfred.stein@ish.bfa-fisch.de)

**(EU – Latvia)**

Normunds Riekstins, Director, National Board of Fisheries, Ministry of Agriculture, 2, Republikas laukums, LV-1010 Riga

Phone: +371 732 3877 - Fax: +371 733 4892 - E-mail: [fish@latnet.lv](mailto:fish@latnet.lv)

Janis Stepanovs, National Board of Fisheries, Ministry of Agriculture, 2, Republikas laukums, LV -1010 Riga

Phone: +371 732 3877 - Fax: +371 733 4892 - E-mail: [janis.stepanovs@vzp.gov.lv](mailto:janis.stepanovs@vzp.gov.lv)

**(EU – Lithuania)**

Aidas Adomaitis, Director General, Fisheries Dept. under the Ministry of Agriculture, J. Lelevelio str. 6, LT-01103 Vilnius

Phone: +370 253 71174 – Fax: +370 5 239 1176 – E-mail: [aidasa@zum.lt](mailto:aidasa@zum.lt)

Algirdas Rusakevicius, Deputy Director General, Fisheries Department under the Ministry of Agriculture, J. Lelevelio str. 6, LT-01103 Vilnius

Phone: +370 5 239 1186 – Fax: +370 5 239 1176 – E-mail: [algirdasr@zum.lt](mailto:algirdasr@zum.lt)

Genadijus Babcionis, Head of Atlantic Fisheries Control and Monitoring Div., Fisheries Dept. under the Ministry of Agriculture, J. Lelevelio str. 6, LT-01103 Vilnius

Phone: +370 5 239 1180 – Fax: +370 5 239 1176 – E-mail: [genadijusb@zum.lt](mailto:genadijusb@zum.lt)

Einar Gudbjornsson, Owner, JSC “Norgertus”, Nemuno str., 139, LT 93262 Klaipeda

Phone/Fax: +370 4634 0043 – E-mail: [norgertus@norgertus.w3.lt](mailto:norgertus@norgertus.w3.lt)

Rasuole Jusiute, Lawyer, “Norgertus”, Nemuno str. 139, LT 93262 Klaipeda

Phone: +370 37 370656 – Fax: +370 37370664 – E-mail: [nmarestana@zebra.lt](mailto:nmarestana@zebra.lt)

**(EU – Poland)**

Leszek Dybiec, Deputy Director, Ministry of Agriculture and Rural Development, Fisheries Department, 30 Wspolna Street, 00-930 Warsaw

Phone: +48 22 628 9684 - Fax: +48 22 623 2204 - E-mail: [leszek.dybiec@minrol.gov.pl](mailto:leszek.dybiec@minrol.gov.pl)

**(EU - Portugal)**

Eurico Monteiro, Director-General, Direccao-Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon  
Phone: +351 21 303 5887 - Fax: +351 21 303 5965 - E-mail: [euricom@dgpa.min-agricultura.pt](mailto:euricom@dgpa.min-agricultura.pt)

Emilia Batista, Directora de Servicos, Departamento dos Recursos, Direccao Geral das Pescas e Aquicultura, Avenida da Brasilia, 1449-030 Lisbon

Phone: +351 213 035 850 Fax: +351 213 035 922 E-mail: [ebatista@dgpa.min-agriculture.pt](mailto:ebatista@dgpa.min-agriculture.pt)

Ricardo Alpoim, Instituto Nacional de Investigacao Agrária e das Pescas (INIAP/IPIMAR), Av. de Brasilia, 1449-006 Lisbon

Phone: +351 21 302 7000 – Fax: +351 21 301 5948 – E-mail: [ralpoim@ipimar.pt](mailto:ralpoim@ipimar.pt)

Antonio Avila de Melo, Instituto Nacional de Investigacao Agraria e das Pescas (INIAP/IPIMAR), Av. de Brasilia, 1449-006 Lisbon

Phone: +351 21 302 7000 – Fax: +351 21 301 5948 – E-mail: [amelo@ipimar.pt](mailto:amelo@ipimar.pt)

Jose Taveira da Mota

Phone: +351 234 397 530 – Fax: +351 234 364 090

Pedro Franca, Presidente, A.D.A.P.I. – Associacao Armadores das Pescas Industriais, Docapesca, Edificio da Gama, Bloco-C, Piso 1, Rua General Gomes d’Araujo, Alcantara-Mar, 1399-005 Lisbon

Phone: +351 21397 2094 - Fax: +351 21397 2090 - E-mail: [adapi.pescas@mail.telepac.pt](mailto:adapi.pescas@mail.telepac.pt)

Anibal Machado Paiao, Director, A.D.A.P.I.-Associacao dos Armadores das Pescas Industriais, Docapesca, Edificio da Gama, Bloco-C, Piso 1, Rua General Gomes d’Araujo, Alcantara-Mar, 1399-005 Lisbon

Phone: +351 21397 2094 - Fax: +351 21397 2090 - E-mail: [adapi.pescas@mail.telepac.pt](mailto:adapi.pescas@mail.telepac.pt)

**(EU – Spain)**

Fernando Curcio Ruigomez, Director General de Recursos Pesqueros, Secretariat General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid

Phone: +34 91 347 6030 – Fax: +34 91 347 6032 – E-mail: [fcurcior@mapya.es](mailto:fcurcior@mapya.es)

Rafael Centenera, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 347 6040 – Fax: +34 91 347 6042 – E-mail: [rcentera@mapya.es](mailto:rcentera@mapya.es)

Margarita Mancebo, Jefe de Area, Subdireccion General de Relaciones Pesqueras Internacionales, Direccion General de Recursos Pesqueros, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 347 61 29 - Fax: +34 91 347 60 42 – E-mail: [cmancebo@mapya.es](mailto:cmancebo@mapya.es)

Samuel J. Juarez, Counselor for Agriculture, Fisheries and Food, Embassy of Spain, 2375 Pennsylvania Ave., N.W., Washington, D.C. 20037

Phone: +202 728 2339 – Fax: +202 728 2320 – E-mail: [mapausa@speakeasy.net](mailto:mapausa@speakeasy.net)

Javier Del Hierro, Subdirección General de Inspeccion Pesquera, Secretaria General de Pesca Maritima, c/Castellana 112, 5ª Plto, 28071 Madrid, Spain

Phone: +3491 3471645 – Fax: + 3491 3471512 – E-mail: [jdellhier@mapya.es](mailto:jdellhier@mapya.es)

Jose Manuel Lopez Rodríguez, Xunta de Galicia, Conselleria de Pesca e Asuntos Maritimos, Director Xeral de Estruturas e Mercados da Pesca, Rua do Sar, 75, 15702 Santiago de Compostela

Phone: +981 54 63 47 – Fax: +981 54 62 88

Juan Perez Pazo, Xefe de Servizo de Asesoria Tecnica, Rua do Valino, 63, 15073 Santiago de Compostela

Phone: +34 981 545020 – Fax: +34 981 545025 – E-mail: [xoan.perez.pazo@xunta.es](mailto:xoan.perez.pazo@xunta.es)

Enrique De Cardenas, Secretaria General de Pesca Maritima, Jose Ortega y Gasset, 57, 28006 Madrid, Spain

Phone: +34 91 347 6110 – Fax: +34 91 347 6037 – E-mail: [edecarde@mapya.es](mailto:edecarde@mapya.es)

Fernando Gonzalez-Costas, Instituto Español de Oceanografía, Apto 1552, E-36280 Vigo (Pontevedra)

Phone: +34 9 86 49 2111 – Fax: +34 9 86 49 2351 – E-mail: [fernando.gonzalez@vi.ieo.es](mailto:fernando.gonzalez@vi.ieo.es)

Hilario Murua, Fish, Resour. – AZTI Foundation, Herrera Kaia, Portualde z/g, 20110 Pasaia, Basque Country

Phone: + 34 9 43 00 48 00 – Fax: + 34 9 43 00 48 01 – E-mail: [hmurua@pas.azti.es](mailto:hmurua@pas.azti.es)

Antonio Vazquez, Instituto de Investigaciones Marinas, Eduardo Cabello 6, 36208 Vigo

Phone: +34 9 86 23 1930 – Fax: +34 9 86 29 2762 – E-mail: [avazquez@iim.csic.es](mailto:avazquez@iim.csic.es)

Jose Fuertes Gamundi, Director Gerente, ANAMER-ANAVAR-AGARBA, Puerto Pesquero, Apartado 1.078, 36200 Vigo

Phone: +34 986 433844 - Fax: +34 986 439218 – E-mail: [direccion@arvi.org](mailto:direccion@arvi.org)

Juan Manuel Liria, Presidente, Federación Española de Organizaciones Pesqueras (FEOPE), C/Comandante Zorita, 12, Escalera 4-1D, 28020 Madrid

Phone: +34 91 534 5484 – Fax: +34 91 534 3718- E-mail: [feopec@feopec.com](mailto:feopec@feopec.com)

José Luis Meseguer , Doctor en Derecho, Secretario General, ARBAC – Asociacion de empresas de pesca de bacalao, especies afines y asociadas, Enrique Larreta, 10-3º, 28036 Madrid, Spain

Phone: +34 913 151965 – Fax: +34 913 152673

Eloy Carramal, Director Financiero, Grupo Oya Perez, Calle San Francisco 57-1º y 2º, 36202 Vigo, Galicia, Spain

Juan Manuel Oya Perez, Shipowner, Heroya, Calle San Francisco 57-1º, 36202 Vigo, Galicia, Spain

Phone: +34 986 447 484 – Fax: +986 439 229 – E-mail: [ecarramal@oyaperez.es](mailto:ecarramal@oyaperez.es)

Monica DoCampo, Heroya, S.A., C/San Francisco, 57-1, 36202 Vigo, Spain

Phone: +34 986 44 74 84 – Fax: #34 986 43 92 29 – E-mail: [monica@oyaperez.es](mailto:monica@oyaperez.es)

Alejandro Alvarez Rivas, c/Animas 5-3, 30, 36208 Vigo, Spain

Phone: +34 636 481 100 – Fax: +34 986 209 505 – E-mail: [albri@albri.com](mailto:albri@albri.com)

#### **(EU – United Kingdom)**

Mike Rimmer, Sea Fisheries Conservation Div., Dept. For Environment, Food and Rural Affairs, Area A 6th Floor, Whitehall Place, London SW1A 2HH

Phone: +44 (0)20 7270 8308 – Fax: +44 (0)207270 8309 – E-mail: [mike.rimmer@defra.gsi.gov.uk](mailto:mike.rimmer@defra.gsi.gov.uk)

Julie Fitton, Fisheries Policy Advisor, Fisheries Management and Control Enforcement Policy, Dep.. for Environment, Food and Rural Affairs, 3-8 Whitehall Place, London SW1A 2HH

Phone: +44(0)20 7270 8131 – Fax: +44 (0)207270 8843 – E-mail: [julie.fitton@defra.gsi.gov.uk](mailto:julie.fitton@defra.gsi.gov.uk)

Philip Galbraith, Fisheries Enforcement Policy, Scottish Fisheries Protection Agency, 47 Robb's Loan, Edinburgh, Scotland EH14 1TY

Phone: +44 131 244 6066 – Fax: +44 131 244 6069 – E-mail: [philip.galbraith@scotland.gsi.gov.uk](mailto:philip.galbraith@scotland.gsi.gov.uk)

Philip Large, Centre for Fisheries & Aquaculture Science (CEFAS) Fisheries Laboratory, Pakefield Rd., Lowestoft (Suffolk), England NR33 0HT

Phone: +44 502 524491 – E-mail: [p.a.large@cefasc.co.uk](mailto:p.a.large@cefasc.co.uk)

### **FRANCE (in respect of St. Pierre et Miquelon)**

#### **Head of Delegation**

Stéphane Artano, President du Conseil General de Saint-Pierre-et-Miquelon, B.P. 4208, Place Monseigneur-Maurer 97500 Saint Pierre et Miquelon

Phone: + 508 41 01 02 – Fax: + 508 41 44 79 – E-mail: [cgsmp-president@wanadoo.fr](mailto:cgsmp-president@wanadoo.fr)

#### **Alternate**

Patrick Brenner, Ministry of Overseas, Head of International Affairs Div., 27, rue Oudinot, 75358 Paris

Phone: +53 69 26 32 – Fax: +53 69 21 97 – E-mail: [patrick.brenner@outre-mer.gouv.fr](mailto:patrick.brenner@outre-mer.gouv.fr)

#### **Advisers**

Thierry Baslé, Development Manager, Development Agency, SODEPAR, Rue Borda, Palais Royal, BP 4365, 97500 Saint-Pierre et Miquelon

Phone: +508 41 15 15 – Fax: +508 41 15 16 – E-mail: [thierry.basle@sodepar.com](mailto:thierry.basle@sodepar.com)

Frédérique Deschamps, 6, rue de l'Esperance, 97500 Saint-Pierre, St. Pierre et Miquelon

Phone: +508 41 36 81 – E-mail: [fredeschamps2001@yahoo.fr](mailto:fredeschamps2001@yahoo.fr)

Bruno Detcheverry, Directeur General, Interpeche S.A., Société des Pêches de Archipel, Quai du MôleFrigorifique, B.P.4249, 97500 Saint-Pierre et Miquelon

Phone: +508 41 39 91 – Fax: +508 41 38 38 / 41 99 47 – E-mail: [interpeche@wanadoo.fr](mailto:interpeche@wanadoo.fr)

Jean-Marc Guyau, Administrateur principal des affaires maritimes, Chef du service, 1, rue Gloanec, B.P. 4206, 97500 Saint-Pierre-et-Miquelon

Phone: +508 41 15 30 – Fax: +508 41 48 34 – E-mail: [j-marc.guyau@equipement.gouv.fr](mailto:j-marc.guyau@equipement.gouv.fr)

### **ICELAND**

#### **Head of Delegation**

Kolbeinn Arnason, Ministry of Fisheries, Skulagata 4, 150 Reykjavik

Phone: +354 545 8300 – E-mail: [kolbeinn.arnason@utn.stjr.is](mailto:kolbeinn.arnason@utn.stjr.is)

**Advisers**

Gylfi Geirsson, Commander, Icelandic Coast Guard, Skogarhlid 14, 105 Reykjavik

Phone: +354 545 2071 – Fax: +354 545 2040 – E-mail: [gylfi@lhg.is](mailto:gylfi@lhg.is)

Hjortur Gislason, Ogurvik, Fishing Export Co. Ltd., Tysgata 1 – 101 Reykjavik

Phone : +354 562 9990 – Fax : +354 562 9998 – E-mail : [hjortur@ogunvik.is](mailto:hjortur@ogunvik.is)

Kristjan Freyr Helgason, Directorate of Fisheries Dalshraun/ 220 Hafnarfiordur, Iceland

Phone: +354 569 7900 – Fax: +354 569 7990 – E-mail: [kristjan@fiskistofa.is](mailto:kristjan@fiskistofa.is)

**JAPAN****Head of Delegation**

Miwako Takase, Deputy Director, International Affairs Div., Fisheries Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone: +81 3 3591 1086 – Fax: +81 3 3502 0571- E-mail: [miwako\\_takase@nm.maff.go.jp](mailto:miwako_takase@nm.maff.go.jp)

**Advisers**

Tsuyoshi Chiba, Far Seas Fisheries Div., Resources Management Dept., Fishery Agency, Government of Japan, 1-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8907

Phone: +81 3 3504 3995; Fax: +81 3 3502 0571 – E-mail: [tsuyoshi.chiba@nm.maff.go.jp](mailto:tsuyoshi.chiba@nm.maff.go.jp)

Noriaki Takagi, Director, Executive Secretary, Japan Deep Sea Trawlers Association, NK-Bldg., 6F Kanda Ogawa -cho, Chiyoda-ku, □okio 101-0052

Phone: +81 3 3291 8508 – Fax: + 81 3 3233 3267 – E-mail: [ntakagi@jdsta.or.jp](mailto:ntakagi@jdsta.or.jp)

Takahisa Tanabe, Representative, Japan Fisheries Association, Suite 1209 Duke Tower, 5251 Duke St., Halifax, N.S., Canada B3J 1P3

Phone: +902 423 7975 – Fax: +902 425 0537 – E-mail: [jfahfx@allstream.net](mailto:jfahfx@allstream.net)

**REPUBLIC OF KOREA****Head of Delegation**

Hyun-Jong Kim, Deputy Director, Ministry of Maritime Affairs and Fisheries, International Cooperation, 140-2 Gye-Dong Jongno-Gu, Seoul 110-793

Phone/Fax: +82 2 3674 6992 \ 6996 – E-mail: [harrykim@momaf.go.kr](mailto:harrykim@momaf.go.kr)

**Advisers**

Soon-Yo Jeong, Ministry of Maritime Affairs and Fisheries, International Cooperation, 140-2 Gye-Dong Jongno-Gu, Seoul 110-793

Phone: +82 2 3674 6994 – Fax: +82 2 3674 6996 – E-mail: [iedmomaf@chol.com](mailto:iedmomaf@chol.com)

Yang-Sik Cho, Assistant Manager, Korea Deep Sea Fisheries Association, Trawl Fishery Dept., 6fl Samho Center Bldg. A, 275-1, Yangjae-Dong, SeoCho-Ku, Seoul

Phone: +82 2 589 1618 – Fax: +82 2 589 1630/1 – E-mail: [mild@kodefa.or.kr](mailto:mild@kodefa.or.kr)

**NORWAY****Head of Delegation**

Terje Lobach, Senior Legal Adviser, Directorate of Fisheries, P. O. Box 2009 Nordnes, NO-5817 Bergen

Phone: +47 55 23 80 00 / 8139 Fax: +47 55 23 80 90 E-mail: [terje.lobach@fiskeridir.no](mailto:terje.lobach@fiskeridir.no)

**Alternate**

Stein-Aage Johnsen, Senior Legal Adviser, Resource Management Dept., Directorate of Fisheries, P. O. Box 2009 Nordnes, NO-5817 Bergen

Phone: +47 55 23 80 00 / 8124 – Fax: +47 55 23 80 90 – E-mail: [stein-age.johnsen@fiskeridir.no](mailto:stein-age.johnsen@fiskeridir.no)

**Advisers**

Webjørn Barstad, Head of Department, Norwegian Fishing Vessel Owners Association, P.O. Box 67 Sentrum, 6001 Aalesund

Phone: +47 70 10 14 60 - Fax: +47 70 10 14 80 - E-mail: [webjorn@fiskebat.no](mailto:webjorn@fiskebat.no)

Turid B. Rodrigues Eusébio, Deputy Director General, Section for Energy and Marine Resources, The Royal Ministry of Foreign Affairs, Oslo

Phone: + 47 2224 3612 – Fax: +47 2224 2784 – E-mail: [tbe@mfa.no](mailto:tbe@mfa.no)

Jan-Pieter Groenhof, Adviser, Norwegian Ministry of Fisheries, Dept. of Marine Resources and Environment, P. O. Box 8118 Dep., NO-0032 Oslo

Phone: +47 22 24 64 44 – Fax: +47 22 24 95 85 – E-mail: [jan-pieter.groenhof@fkf.dep.no](mailto:jan-pieter.groenhof@fkf.dep.no)

**RUSSIA****Head of Delegation**

Alexander Fomin, Head of Department of Fisheries of Ministry of Agriculture of the Russian Federation, 1/11, Orlikov per., Moscow 107139

Phone: +7 495 975 5740 - Fax: +7 495 207 8868 – E-mail: [a.fomin@dp.mcx.ru](mailto:a.fomin@dp.mcx.ru)

**Representative**

Alexander Fomin (see address above)

**Advisers**

Vadim Agalakov, Senior Expert-Fisheries Inspector, Murmansk Dept. of Rosselknoznadzor, str. Tralovaya 12A, 183038 Murmansk

Phone: +7 815 2 687 302 – Fax: +7 815 2 687 321 – E-mail: [info@rsn51.ru](mailto:info@rsn51.ru)

Vladimir K. Babayan, Head, Laboratory for Systems Analysis of Fishery Resources, Russian Federal Research Institute of Fisheries and Oceanography, 17, V. Krasnoselskaya, Moscow 107140

Phone/Fax: +7095 264 6983 – [vbabayan@vniro.ru](mailto:vbabayan@vniro.ru)

Konstantin Gorchinsky, Senior Scientist, Knipovich Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk

Phone: + 7 8152 450568 – Fax: + 7 8152 473331 – E-mail: [gorch@pinro.ru](mailto:gorch@pinro.ru)

Leonid Kokovkin, Representative of the Russian Federation in Canada on Fisheries, 47 Oceanview Drive, Bedford, Nova Scotia Canada B4A 4C4

Phone: +902 832 9225 – Fax: +902 832 9608 – E-mail: [rusfish@ns.sympatico.ca](mailto:rusfish@ns.sympatico.ca)

Alexander Okhanov, Head of Department, Aquatic Bioresources and Fisheries Management, Federal Agency for Fisheries, Rozhdestvensky blvd. 12, Moscow 107996

Phone/Fax: +7095 928 7644 – E-mail: [okhanovaa@fishcom.ru](mailto:okhanovaa@fishcom.ru)

Rafail Ruzheynikov, Director, Murmansk State Regional Department for Reproduction of Water Biological Resources and Fisheries Management, Kominterna str. 7, 183038 Murmansk

Phone: +78152 458 678- Fax: +78152 458 678 - E-mail: [mru@an.ru](mailto:mru@an.ru)

Vladimir Shibanov, Head of Division of Department of Fisheries of Ministry of Agriculture of the Russian Federation, Orlikov per., 1/11, 107139 Moscow

Phone: +7 495 975 4665 – E-mail: [v.shibanov@drp.mcx.ru](mailto:v.shibanov@drp.mcx.ru)

Ekaterina Volkovinskaia, Interpreter, Polar Research Institute of Marine Fisheries and Oceanography (PINRO), 6 Knipovich St., Murmansk 183763

Phone: + 7 8152 473461 – Fax: + 7 8152 473331 – E-mail: [katerina@pinro.ru](mailto:katerina@pinro.ru) / [inter@pinro.ru](mailto:inter@pinro.ru)

Alexandr Zhukov, Chief of Dept. of Conventional Fishery, FGU Zapbaltrybvod, 15, Kirova str., 236000 Kaliningrad

Phone: +7 0112 55 5311 – Fax: +7 0112 555513 – E-mail: [zapad@zbrv.baltnet.ru](mailto:zapad@zbrv.baltnet.ru)

## UKRAINE

### Head of Delegation

Sergey Rebik, Senior Scientific Collaborator, Southern Scientific Research Institute of Marine Fisheries and Oceanography (YugNIRO), 2 Sverdlov Str., Kerch 98300

Phone: +380 6561 21012 – Fax: +380 6561 61627 – E-mail: [rebikst@mail.ru](mailto:rebikst@mail.ru)

### Representative

Petro Morozov, Senior Expert, Department for Fisheries of the Ministry of the Agriculture Policy of Ukraine, 45A Artema str., Kyiv 04053

Phone: +38 044 258 2727 - Fax: +38 044 482 0984 – E-mail: [petia.morozov@gmail.com](mailto:petia.morozov@gmail.com)

## UNITED STATES OF AMERICA

### Head of Delegation

Dean Swanson, Chief, International Fisheries Affairs Div., F/IA1, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East-West Highway, Silver Spring, MD 20910

Phone: +301 713 2276 – Fax: +301 713 2313 – E-mail: [dean.swanson@noaa.gov](mailto:dean.swanson@noaa.gov)

### Representative

Dean Swanson (see above)

### Advisers

Marydele Donnelly, Director of International Policy, Caribbean Conservation Corporation, 3775 Bonnybridge Place, Ellicott City, MD 21043

Phone: +410 750 1561 - E-mail: [marydele@cccturtle.org](mailto:marydele@cccturtle.org)

Sonja Fordham, Shark Program Director, The Ocean Conservancy, c/o Oceana, Rue Montoyer, 39, 1000 Brussels, Belgium

Phone: +32 2 513 2242 – E-mail: [sfordham@oceanconservancy.org](mailto:sfordham@oceanconservancy.org)

Deirdre Warner-Kramer, Senior Atlantic Affairs Officer, Office of Marine Conservation, United States Department of State (Rm 2758), 2201 C Street NW, Washington, D.C. 20520-7878

Phone +1 202 647 2883 – Fax: +1 202 736 7350 – E-mail: [warner-kramerm@state.gov](mailto:warner-kramerm@state.gov)

Sarah McLaughlin, Fishery Policy Analyst, National Marine Fisheries Service, U.S. Dept. of Commerce, 1 Blackburn Dr., Gloucester, MA 01930

Phone: +978 281 9279 – Fax: +978 281 9135 – E-mail: [sarah.mclaughlin@noaa.gov](mailto:sarah.mclaughlin@noaa.gov)

Gene S. Martin, Jr., Attorney, Office of the General Counsel, National Oceanic and Atmospheric Administration, Northeast, 1 Blackburn Dr., Gloucester, MA 01930

Phone: +1 978 281 9242 – Fax: +1 978 281 9389 – E-mail: [gene.s.martin@noaa.gov](mailto:gene.s.martin@noaa.gov)

Ralph Mayo, Northeast Fisheries Science Center, NMFS/NOAA, Dept. of Commerce, 166 Water St., Woods Hole, Massachusetts 02543-1097

Phone: +508 495 2310 – Fax: +508 495 2393 – E-mail: [ralph.mayo@noaa.gov](mailto:ralph.mayo@noaa.gov)

Patrick Moran, Foreign Affairs Analyst, Office of International Affairs, F/IA-2, National Marine Fisheries Service, U.S. Dept. of Commerce, 1315 East-West Hwy., Silver Spring, MD 20910

Phone: +301 713 2276 – Fax: +301 713 2313 – E-mail: [pat.moran@noaa.gov](mailto:pat.moran@noaa.gov)

Bill Quinby, Director, Mayflower Shipping Ltd., 5 Yeamans Road, Charleston, SC 29407

Phone: +843 577 0560 – Fax: +843 577 6644 – E-mail: [mayflower@mindspring.com](mailto:mayflower@mindspring.com)

Kevin Riddle, Lieutenant Commander, U.S. Coast Guard Liaison, Office of Marine Conservation, U.S. Department of State, 2201 C Street NW, Washington, D.C. 20520

Phone: +202 647 3177 – Fax: +202 736 7350 – E-mail: [Riddlekw@state.gov](mailto:Riddlekw@state.gov)

Fred Serchuk, Chief, Resource Evaluation and Assessment Division, Northeast Fisheries Science Center, NMFS, 166 Water St., Woods Hole, Massachusetts 02543-1097

Phone: +508 495 2245 - Fax: +508 495 2258 - E-mail: [fred.serchuk@noaa.gov](mailto:fred.serchuk@noaa.gov)

**OBSERVERS**

**FAO**

Hiromoto Watanabe, Fishery Liaison Officer, International Institutions and Liaison Service, Fishery Policy and Planning Div., Fisheries Department, Food and Agriculture Organization of the United Nations (FAO), Viale delle Terme di Caracalla, 00100 Rome, Italy

Phone: +39 06 5705 5252 – Fax: +39 06 5705 6500 – E-mail: [hiromoto.watanabe@fao.org](mailto:hiromoto.watanabe@fao.org)

**NAMMCO**

Kate Sanderson, Counsellor, Ministry of Fisheries and Maritime Affairs, Heyksvegur 6, P. O. Box 347, FO-100 Torshavn, Faroe Islands

Phone: + 298 35 32 47 - Fax: +298 35 30 37 - E-mail: [kate@fisk.fo](mailto:kate@fisk.fo)

**World Wildlife Fund (WWF)**

Andrea Carew, Senior Manager, Marine Conservation, WWF Canada, Atlantic Region, 5251 Duke Street, Ste. 1202, Halifax, Nova Scotia, Canada B3J 1P3

Phone: +902 482 1105 (ext 24) - Fax: +902 482 1107 – E-mail: [acarew@wwfcanada.org](mailto:acarew@wwfcanada.org)

**SECRETARIAT**

Johanne Fischer, Executive Secretary  
Ricardo Federizon, Fisheries Commission Coordinator  
Anthony Thompson, Scientific Council Coordinator  
Stan Goodick, Senior Finance and Staff Administrator  
Bev McLoon, Personal Assistant to the Executive Secretary  
Ferne Perry, Senior Publications Manager  
Barry Crawford, Senior Publications Manager  
Dorothy Auby, Office Manager  
Barb Marshall, Information Manager  
Cindy Kerr, Fisheries Information Manager

## Annex 2. Record of Decisions by the Fisheries Commission

Substantive Issues (Agenda item):	Decision/Action:
7 and 9. Report of STACTIC June 2006 and Report of STACTIC September 2006	<b>Accepted</b>
8. Review of Chartering Arrangement	<b>Noted</b> FC WP 06/04
10. Summary of Scientific Advice by the Scientific Council b) ii. VMS data be made available to the SC for stock assessment purposes	<b>Noted</b> Scientific Council Chair's report  <b>Adopted</b> FC WP 06/13 (Rev.) (FC Doc. 06/6)
11. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2006	(see 2007 Quota Table)
11.1 Cod in Division 3M	The 2006 provisions for this stock will be applied in 2007 and 2008. By-catch provisions as stipulated in the NAFO CEM apply.
11.2 American plaice in Division 3M	The 2006 provisions for this stock will be continued in 2007 and 2008. By-catch provisions as stipulated in the NAFO CEM apply.
11.3 Shrimp in Division 3M	The 2006 provisions will be applied in 2007. The reservation of Iceland was noted.  <b>Adopted</b> FC WP 06/24. (FC Doc. 06/12)
12. Management of Technical Measures for Fish Stocks Straddling National Fishing Limits, 2007	(see 2007 Quota Table)
12.1 Witch flounder in Division 3NO	The 2006 provisions for this stock will be continued in 2007 and 2008. By-catch provisions as stipulated in the NAFO CEM apply.
12.2 Yellowtail flounder in Division 3LNO	The 2006 allocation scheme for this stock will be continued in 2007. By-catch provisions as stipulated in the NAFO CEM apply. TAC is 15 500 t. The reservation of USA was noted.
12.3 Thorny skate in Division 3LNO	Allocation scheme is maintained. TAC is 13 500 t.
12.4 Squid ( <i>Illex</i> ) in Subareas 3 and 4	Allocation scheme is maintained for 2007 and 2008. TAC is 34 000 t.
12.5 Greenland halibut in Subarea 2 and Divisions 3KLMNO (rebuilding plan)	No action taken. The TAC in Divs. 3LMNO of 11 856 t which was adopted in the framework of the rebuilding plan is unchanged.
12.6 Shrimp in Division 3LNO	The allocation scheme in 2007 remains the same as in 2006. TAC is 22 000 t. The reservation of Denmark (in respect of Faroes and Greenland) on the allocation scheme was noted.  <b>Adopted</b> FC WP 06/15 – on time restrictions. (FC Doc. 06/8) <b>Adopted</b> FC WP 06/24 – on product labelling and catch recording. (FC Doc. 06/12)

<p>12.7 Pelagic <i>Sebastes mentella</i> (oceanic redfish) in the NAFO Convention Area</p>	<p>TAC in 2007 is 16 914 t, based on the 17% reduction of the NEAFC TAC. Allocation scheme the same as in 2006.</p> <p>Footnote 10 was revised to read: “In case of the NEAFC decision which modifies the level of TAC in 2007 as compared with 2006, these figures shall be accordingly adjusted by NAFO and formalized through a mail vote.”</p> <p><b>Adopted</b> FC WP 06/17 (Rev.) (FC Doc. 06/9)</p>
<p>12.9 Management of Currently Unregulated Stocks:</p> <p>i. Spiny dogfish</p> <p>ii. Black dogfish</p>	<p><b>Noted</b> FC WP 06/12.</p>
<p>13. Structure and Coverage of Observer Programme</p>	<p><b>Adopted</b> STACTIC WP 06/33 (rev. 3) (FC Doc. 06/13). The reservation of Ukraine on the 25% coverage was noted.</p>
<p>14. Reform of NAFO (issues outlined in paragraph 5 of the St. John’s Declaration)</p>	<p><b>Adopted</b> FC WP 06/23. (FC Doc. 06/11)</p>
<p>15. Formulation of Request to the Scientific Council for scientific advice on the management of fish stocks in 2008</p>	<p><b>Adopted</b> FC WP 06/22 (Rev.). (FC Doc. 06/10)</p>
<p>16. Areas of Ecological and Biological Significance in the NAFO Area</p>	<p><b>Adopted</b> FC WP 06/11 (Rev. 5). (FC Doc. 06/5)</p> <p><b>Adopted</b> FC WP 06/14 (FC Doc. 06/7)</p>
<p>18. Time and Place of Next Meeting</p>	<p><b>Agreed</b> at the General Council – 24-28 September 2007 in Lisbon, Portugal.</p>
<p>19. Other Business</p> <p>i. Election of Vice Chair</p>	<p>Kate Sanderson of Denmark (in respect of Faroes and Greenland) was <b>elected</b> Vice Chair to replace Kolbeinn Arnason of Iceland.</p>

### **Annex 3. Agenda**

#### **I. Opening Procedure**

1. Opening by the Chair, Vladimir Shibanov (Russia)
2. Appointment of Rapporteur
3. Adoption of Agenda
4. Guidance to STACTIC necessary for them to complete their work (Monday)
5. Guidance to SC necessary for them to complete their work (Monday)

#### **II. Administrative**

6. Review of Commission Membership

#### **III. Conservation and Enforcement Measures**

7. Report of STACTIC, June 2006
8. Review of Chartering Arrangements
9. Report of STACTIC at the Annual Meeting

#### **IV. Conservation of Fish Stocks in the Regulatory Area**

10. Summary of Scientific Advice and Other Matters raised by the Scientific Council
  - a) Stock assessments and recommendations (Scientific Council Chair)
  - b) Other issues (as determined by SC)
    - i. Submission of provisional monthly catches by flag state instead of Contracting Party
    - ii. VMS data be made available to the SC for fish stock assessment purposes
    - iii. Omega Mesh Gauge
    - iv. ICES-NAFO Harp and Hooded Seals Working Group
11. Management and Technical Measures for Fish Stocks in the Regulatory Area, 2007
  - 11.1 Cod in Div. 3M
  - 11.2 American plaice in Div. 3M
  - 11.3 Shrimp in Div. 3M
12. Management and Technical Measures for Fish Stocks Straddling National Fishing Limits, 2007
  - 12.1 Witch flounder in Div. 3NO
  - 12.2 Yellowtail flounder in Div. 3LNO (PA framework)
  - 12.3 Thorny skate in Div. 3LNO
  - 12.4 Squid (*Illex*) in Subareas 3 and 4
  - 12.5 Greenland halibut in Subarea 2 and Div. 3KLMNO (rebuilding plan)
  - 12.6 Shrimp in Div. 3LNO
  - 12.7 Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area
  - 12.8 Redfish in Div. 3O (minimum mesh size)
  - 12.9 Management of Currently Unregulated Stocks:
    - i. Spiny dogfish
    - ii. Black dogfish
13. Structure and Coverage of Observer Programme
14. Reform of NAFO (issues outlined in paragraph 5 of the St. John's Declaration)
15. Formulation of Request to the Scientific Council for Scientific Advice on the Management of Fish Stocks in 2008

#### **V. Ecosystem Considerations**

16. Areas of Ecological and Biological Significance in the NAFO Area
17. Role of Seals in the Marine Ecosystem

#### **VI. Closing Procedure**

18. Time and Place of the Next Meeting
19. Other Business
  - i) Election of Vice-Chair
20. Adjournment

**Annex 4. Amendments to the Conservation and Enforcement Measures**  
(FC W.P. 06/23 now FC Doc. 06/11)

**Article 9 – By-catch requirements**

1. By-catch retained on board
  - a) Vessels of a Contracting Party shall limit their by-catch to a maximum of 2500 kg or 10%, whichever is the greater, for each species listed in Annex I for which no quota has been allocated in that Division to that Contracting Party.
  - b) In cases where a ban on fishing is in force or an “Others” quota has been fully utilised, the by-catch of the species concerned may not exceed 1250 kg or 5%, whichever is the greater.
  - c) The percentages in a) and b) are calculated as the percentage, by weight, for each species of the total catch retained on board. Catches of shrimp shall not be included in the calculation of by-catch levels of ground fish species.
  
2. By-catch in any one haul
  - a) If the percentages of by-catches in any one haul have exceeded the percentages laid down in paragraph 1 a) and b) the vessel must immediately move a minimum of 10 nautical miles from any position of the previous tow and throughout the next tow keep a minimum distance of 10 nautical miles from any position of the previous tow. If after moving, the next haul exceeds these by-catch limits the vessel must leave the Division and not return for at least 60 hours.
  - b) In the event that total by-catches of all ground fish species subject to quota in any haul in the shrimp fishery exceed 5% by weight in Division 3M or 2.5% by weight in Division 3L, the vessel must move a minimum of 10 nautical miles from any position of the previous tow and throughout the next tow keep a minimum distance of 10 nautical miles from any position of the previous tow. If after moving, the next haul exceeds these by-catch limits the vessel must leave the Division and not return for at least 60 hours.
  - c) The percentage of by-catch authorised in any one haul is calculated as the percentage, by weight, for each species of the total catch in that haul.
  
3. Directed fishery and by-catch
  - a) Masters shall not conduct directed fisheries for species for which by-catch limits apply. A directed fishery for a species shall be deemed to have been conducted when that species comprises the largest percentage by weight of the total catch in any one haul.
  - b) However, when a vessel is conducting a directed fishery for skate with a legal mesh size appropriate for that fishery, the first time that, in a haul, catches of species for which by-catch limits comprise the largest percentage, by weight of the total catch, they shall be considered as incidental. In this event the vessel shall immediately change position in accordance with the provisions of paragraph 2a) and b).
  - c) Following an absence from a Division of at least 60 hours in accordance with the provisions of paragraphs 2a) and b) masters shall undertake a trial tow the duration of which shall not exceed 3 hours. By way of derogation from paragraph a), if in a haul from such a trial tow catches of species for which by-catch limits comprise the largest percentage, by weight of the total catch, it shall not be considered as a directed fishery. In this event the vessel shall immediately change position in accordance with the provisions of paragraph 2a) and b).

**Article 20 – Recording of catch and stowage**

5. Taking into account consideration for the legitimate safety and navigational responsibilities of the master of the vessel, the following shall apply:
  - a) All catches taken inside the NAFO Convention Area shall be stowed separately from all catches taken outside the area. They shall be kept clearly separate, for example with plastic, plywood or netting.
  - b) Catches of the same species may be stowed in more than one part of the hold but the location where it is stowed shall be clearly represented in the stowage plan referred to in paragraph 6.

### **Article 33a – Enhanced follow-up with regard to certain serious infringements**

1. In addition to the provisions of Article 33 the flag state Contracting Party shall take action under this article where a vessel flying its flag has committed one of the following serious infringements:
  - a) Directed fishing for a stock which is subject to a moratorium or for which fishing is prohibited (Article 9);
  - b) Mis recording of catches (Article 20);
 

To be considered for follow-up action under this Article the difference between the inspector's estimates of processed catch on board, by species or in total, and the figures recorded in the production logbook shall be 10 tons or 20%, whichever is the greatest, calculated as a percentage of the production logbook figures. In order to calculate the estimate of the catch on board a stowage factor agreed between the inspectors of the inspecting Contracting Party and the Contracting Party of the inspected vessel shall be used.
  - c) The repetition of the same serious infringement mentioned in the Article 33 (1) that has been confirmed in accordance with Article 33 paragraph 5 during a 100 day period or within the fishing trip, whichever is shorter.
2. The flag state Contracting Party shall ensure that following the inspection referred to in Article 33 (3) the vessel concerned ceases all fishing activities and an investigation into the serious infringement is initiated.
3. If no inspector or other person designated by the flag state Contracting Party of the vessel to carry out the investigation as outlined in paragraph 2 is present in the Regulatory Area the flag state Contracting Party shall require the vessel to proceed immediately to a port where the investigation can be initiated.
4. When completing the investigation for any serious infringement of mis-recording of catch referred to in paragraph 1 b) the flag state Contracting Party shall ensure that the physical inspection and enumeration of total catch on board, takes place under its authority in port. Such inspection may take place in the presence of an inspector from any another Contracting Party that wishes to participate, subject to the consent of the flag state Contracting Party.
5. When a vessel is required to proceed to port pursuant to paragraph 2, 3 or 4, an inspector from another Contracting Party may board and/or remain on board the vessel as it is proceeding to port, provided that the competent authority of the Contracting Party of the inspected vessel does not require the inspector to leave the vessel.

### **Article 34 – Follow-up to infringements**

1. The competent authorities of a Contracting Party notified of an infringement committed by one of its vessels shall investigate immediately and fully this infringement to obtain the evidence required which shall include, where appropriate, the physical inspection of the vessel concerned.
2. The competent authorities of the flag state Contracting Party shall take immediate judicial or administrative action in conformity with their national legislation against the nationals responsible for the vessel flying its flag where the measures adopted by NAFO have not been respected.
3. The competent authorities of the flag state Contracting Party shall ensure that the proceeding initiated pursuant to paragraph 2 shall be capable, in accordance with the relevant provisions of national law, of providing effective measures that are adequate in severity, secure compliance, and deprive those responsible of the economic benefit of the infringement, and effectively discourage future infringements.
4. paragraph 2 – unchanged
5. paragraph 3 – unchanged
6. paragraph 4 – unchanged

Remarks : delete the paragraph 1 and 5 replaced by new paragraph 1, 2 and 3.

### **Article 34 a – Enforcement Measures**

1. Each flag State Contracting Party shall take enforcement measures with respect to a vessel, where it has been established, in accordance with its laws that this fishing vessel flying its flag committed a serious infringement listed in article 33.a.
2. The measures referred to in paragraph 1 may include, in particular depending on the gravity of the offence and in accordance with the pertinent provisions of national law :
  - a) Fines
  - b) Seizure of illegal fishing gear and catches
  - c) Sequestration of the vessel
  - d) Suspension or withdrawal of authorisation to fish
  - e) Reduction or withdrawal of the fishing quota
3. The flag State Contracting Party of the vessel concerned shall notify to the Executive Secretary, without delay, the appropriate measures taken in accordance with this Article.

### **Article 35 – Treatment of Reports from Inspectors**

The text of Article 35 is replaced by the following:

1. Inspection and surveillance reports drawn up by NAFO inspectors shall constitute admissible evidence for administrative or judicial proceedings of any Contracting Parties. For establishing facts they shall be treated equally to inspection and surveillance reports of its own inspectors.
2. Contracting Parties shall collaborate in order to facilitate judicial or other proceedings arising from a report submitted by an the inspector under the scheme, subject to the rules governing the admissibility of evidence in domestic judicial and other systems.

### **Article 36 – Report on infringements**

1. Paragraph 1 – unchanged
2. Paragraph 2 - unchanged
3. Addition of a new paragraph 3:
  3. "In case of serious infringement referred to in Article 33.a, the Contracting Party concerned shall provide to the Executive Secretary with a report on the progress of the investigation, including details of any action taken or proposed to be taken in relation to the serious infringement as soon as practicable and in any case within four months following the notification of the infringement and a report on the outcome of the investigation when the investigation is completed".

**Annex 5. Revision of Article 22.8 of the Conservation and Enforcement Measures**  
(FC WP 06/13, Rev. **now** FC Doc. 06/6)

Following the deliberation of the Fisheries Commission (FC) on the matter of making available the VMS data to the Scientific Council (SC), the Secretariat was given the task to revise the text of the Article 22.8. The reformulation of the text was made in consultation with the SC Chair. The bold letters indicate the addition to the original text of the article.

Article 22 – Vessel Monitoring System

8. The Executive Secretary shall make available as soon as possible the information received under paragraph 6 to other Contracting Parties with an inspection presence in the Regulatory Area. All reports and messages shall be treated in a confidential manner.

**The Executive Secretary shall make VMS data available in a summary form to the Scientific Council following specific requests from the Fisheries Commission to the Scientific Council to determine fishing effort on and around vulnerable habitats and for any other purpose.**

**Annex 6. Divisions 3LM Shrimp – New Management Measures**  
(FC WP 06/24 now FC Doc. 06/12)

**Background or Explanatory Memorandum**

The shrimp fishery in the NAFO Regulatory Area is comprised of two components:

- 3M dominated by lower value industrial shrimp with catch rates of ~10t/day
- 3L dominated by higher value/better quality shrimp with catch rates of ~20-25t/day

Masters advise that the value of 3L shrimp is approximately 3 times the value of 3M shrimp. With higher catch rates in 3L and high operating costs, the motivation to misreport is high. One day in Division 3L, on average, equates to a gross value of \$60,000 while one day in Division 3M, on average, equates to a gross value of \$10,000.

The following measures are proposed to improve the effectiveness of the MCS program:

**Proposed Measurements for Shrimp Fishery**

The following are proposed measures [**bold**] to improve compliance in the 3L shrimp fishery.

**Article 6 - Shrimp in Division 3L**

**4. Prior to entry into any port, vessels or their representatives shall provide the competent port authority at least 24 hours before the estimated time of arrival with the following:**

- i) Estimated time of arrival;**
- ii) Estimate of quantities of shrimp retained onboard;**
- iii) Information on the Division or Divisions where the catches were taken.**

**Article 19 - Product Labeling Requirements**

1. When processed all fish harvested in the Regulatory Area shall be labeled in such a way that each species, product category **and date of capture** is identifiable. It shall also be clearly marked as having been caught in the Regulatory Area. Furthermore, all shrimp harvested in Division 3L **and 3M** and all Greenland Halibut harvested in Sub-area 2 and Divisions 3KLMNO shall be marked accordingly **with the stock area**.

**Article 20 – Recording of Catch and Stowage**

6. Fishing vessels shall keep a stowage plan that shows the location of the different species in the holds as well as the quantities of such species on board in product weight stated in kilograms. **In the case of shrimp, vessels shall keep a stowage plan that specifies the location of shrimp taken in Division 3L and specifies the location of shrimp taken in Division 3M as well as the quantities of shrimp, by Division, on board in product weight stated in kilograms. The stowage plan shall be updated every day for the preceding day reckoned from 0000 hrs (UTC) until 2400 hrs (UTC).** The stowage plan shall be kept on board until the vessel has been unloaded completely.

**Annex 7. Proposal from Denmark in respect of the Faroe Islands and Greenland**  
**Amendment to time restrictions for 3L shrimp fishery (CEM Art. 12.1)**  
(FC WP 06/15 now FC Doc. 06/8)

Introduction

Without prejudice to the objection to the Division of shrimp in NAFO 3L lodged by Denmark in respect of the Faroe Islands and Greenland in accordance with Article XII of the NAFO Convention, the following amendment to the time restrictions in Division 3L is proposed. In this connection it should be noted that, since objecting to the division of the TAC for 3L shrimp, which DFG considers to be a temporary measure not an allocation as is otherwise NAFO practice, DFG has nevertheless refrained from objecting to the restrictions on time and number of vessels in 3L which are provided for in the Conservation and Enforcement Measures.

Explanatory remarks

It has now been several years since the existing time restrictions for 3L, specifically Article 12, paragraphs 1) and 2) of the Conservation and Enforcement Measures, were adopted by the Fisheries Commission (1999). In the meantime the fishery has developed and the agreed TAC for this fishery has increased from 6000 t in 2000, to 13,000 t in 2003, to the present 22,000 t for 2006. The scientific, conservation and management basis of current time restrictions is unclear.

Given that NAFO's stated management objective for the shrimp fishery in this area is to provide for its gradual development, it would be consistent with these objectives to relax the associated time restrictions in line with developments. This would allow the fisheries sectors of all Parties with a real interest in this resource greater flexibility in the planning of their activities throughout the year.

Under existing CEM restrictions, Division 3L is closed to shrimp fishery from 1 April to 30 June and again from 15 September to 1 December, a total of 5 ½ months. The proposal from DFG would extend the period in which 3L is open by 2½ months (ie the period from 16 September to 30 November), thus allowing better fishing opportunities in the fall/spring period of the year, when the quality of the resource in the area is better than in the summer period.

**Proposal for amendment of Conservation and Enforcement Measures:**

Article 12:

1. 3L Fishing is prohibited: 1 April - 30 June

**Annex 8. Proposal from Denmark (in respect of the Faroe Islands and Greenland) and Iceland  
Pelagic *Sebastes mentella* (oceanic redfish) in the NAFO Convention Area  
(FC WP 06/17, Rev. now FC Doc. 06/9)**

DFG & Iceland propose the following amendments to the Conservation and Enforcement Measures (highlighted in bold):

Article 10. Gear requirements

1. Minimum authorised mesh sizes shall be as follows:

e) **100 mm for pelagic *Sebastes mentella* (oceanic redfish) in Sub-Area 2 and Divisions 1F & 3K**

Annex 1.A Annual Quota Table

Footnote 10: In the case of the NEAFC decision which modifies the level of TAC in **2007** as compared with **2006**, these figures shall be accordingly adjusted by NAFO and formalized through a mail vote.

## Annex 9. CEM Annexes I.A, I.B, I.C

## Annex I.A - Annual Quota Table

QUOTA TABLE. Total allowable catches (TACs) and quotas (metric tons) for 2007 of particular stocks in Subareas 1-4 of the NAFO Convention Area. The values listed include quantities to be taken both inside and outside the 200-mile fishing zone, where applicable.

Species Division/Contracting Party	Cod			Redfish			American plaice			Yellowtail			Witch	
	3L	3M	3NO	3LN	3M	3O	Sub-Area 2 and Div. 1F+3K	3LNO	3M	3LNO	3L	3NO		
Canada		0	0	0	500	6000	520 <sup>2,4</sup>	0	0	15112 <sup>5</sup>		0		
Cuba		0	-	0	1750		520 <sup>2,4</sup>	-	-	-		-		
Denmark (Faroe Islands and Greenland)		0	-	-	69		13010 <sup>2,3</sup>	-	-	-		-		
European Union		0 <sup>11</sup>	0 <sup>11</sup>	0 <sup>11</sup>	7813 <sup>12</sup>	7000	$\frac{13010^{2,3}}{3383^{2,15}}$	0	0 <sup>11</sup>	-		0 <sup>11</sup>		
France (St. Pierre et Miquelon)		-	-	-	69		5207 <sup>2,4</sup>	-	-	310 <sup>5</sup>		-		
Iceland		-	-	-	-		13010 <sup>2,3</sup>	-	-	-		-		
Japan		-	-	-	400	150	520 <sup>2,4</sup>	-	-	-		-		
Korea		-	-	-	69	100	5207 <sup>2,4</sup>	-	-	-		-		
Norway		0	-	-	-		13010 <sup>2,3</sup>	-	-	-		-		
Russia		0	0	0	9137	6500	13010 <sup>2,3</sup>	-	0	-		0		
Ukraine						150	520 <sup>2,4</sup>							
United States of America		-	-	-	69		520 <sup>2,4</sup>	-	-	-		-		
Others		0	0	0	124	100	-	0	0	78 <sup>5</sup>		0		
TOTAL ALLOWABLE CATCH	*	* <sup>16</sup>	*	*	5000 <sup>8</sup>	20000	16914 <sup>10,17</sup>	*	* <sup>16</sup>	15500 <sup>9</sup>	*	* <sup>16</sup>		

Species	White hake	Capelin	Skates	Greenland halibut	Squid (Illex) <sup>1</sup>		Shrimp	
					3NO	3LNO	3LMNO	Sub-areas 3+4
Division/Contracting Party	3NO	3NO	3LNO	3LMNO	Sub-areas 3+4	3L	3NO	
Canada	2500	0	2250	1778	N.S. <sup>6</sup>	18325		
Cuba		0		-	510	245		
Denmark (Faroe Islands and Greenland)		-		206	-	245		
European Union	5000	0 <sup>11</sup>	8500	6951 <sup>18</sup>	N.S. <sup>6</sup> 611 <sup>13</sup>	1225 <sup>14</sup>		
France (St. Pierre et Miquelon)		-		194	453	245		
Iceland		-		-	-	245		
Japan		0		1215	510	245		
Korea		-		-	453	245		
Norway		0		-	-	245		
Russia	500	0	2250	1512	749	245		
Ukraine						245		
United States of America		-		-	453	245		
Others	500	-	500	0 <sup>7</sup>	794	0		
TOTAL ALLOWABLE CATCH	8500	*	13500	11856	34000	22000		*

\* Ban on fishing in force – The provisions of Article 9, paragraph 1.b) shall apply.

1. Any quota listed for squid may be increased by a transfer from any “coastal state” as defined in Article 1, paragraph 3 of the NAFO Convention, provided that the TAC for squid is not exceeded.

Transfers made to Contracting Parties conducting fisheries for squid in the Regulatory Area shall be reported to the Executive Secretary, and the report shall be made as promptly as possible.

2. The Contracting Parties shall notify the Executive Secretary every second week of catches taken by its vessels from this allocation until accumulated reported catch reaches 50%, after which time weekly notification shall apply. The Executive Secretary shall notify without delay all Contracting Parties the dates on which accumulated reported catch taken by vessels of Contracting Parties estimated equal to 50% and then 100% of that allocation.

3. Quota to be shared by vessels from Denmark (Greenland and Faroe Islands), European Union, Iceland, Norway and Russia. Catches in the NAFO Convention Area shall be deducted from the quotas allocated in the NEAFC Convention Area.
4. Quota to be shared by vessels from Canada, Cuba, France (St. Pierre et Miquelon), Japan, Korea, Ukraine and USA.
5. Contracting Parties shall inform the Executive Secretary before 1 December 2006 of the measures to be taken to ensure that total catches do not exceed the levels indicated.
6. The allocation to these Contracting Parties are as yet undetermined, although their sum shall not exceed the difference between the total of allocations to other Contracting Parties and the TAC (= 29.458 tons).
7. In 2005, the previous 935 t "Others" quota was assigned to three Contracting Parties. When the TAC exceeds 30,000 t the next 1,300 t beyond 30,000 will be allocated to an Others quota which can be accessed by those who do not hold Greenland halibut allocation. In deciding the relevant contributions of Contracting Parties to the 1300 t Others quota, the Fisheries Commission will take into account the fact that some Contracting Parties received a benefit from the 935 t quota which was reassigned in 2005.
8. Each Contracting Party shall notify the Executive Secretary every second week of catches taken by its vessels from this stock until accumulated reported catch reaches 50%, after which time weekly notification shall apply. Not more than 2500 tons may be fished before July 1, 2007. The Executive Secretary shall notify without delay all Contracting Parties of the date on which, for this stock, accumulated reported catch taken by vessels of the Contracting Parties is estimated to equal 50% and then 100% of the TAC.
9. The provisions of Article 9, paragraph 1.b) of the Conservation and Enforcement Measures shall apply.
10. In the case of the NEAFC decision which modifies the level of TAC in 2007 as compared with 2006, these figures shall be accordingly adjusted by NAFO and formalized through a mail vote.
11. Including fishing entitlements of Estonia, Latvia, and Lithuania following their accession to the European Union and in accordance with sharing arrangements of the former USSR quota adopted by the Fisheries Commission at its Annual Meeting in 2003 (FC Working Paper 03/7).
12. Including allocations of 1571 tonnes each for Estonia, Latvia and Lithuania out of a sharing of 20,000 tonnes, following their accession to the European Union.
13. Allocations of 128 tonnes each for Estonia, Latvia and Lithuania as well as 227 tonnes for Poland out of a TAC of 34,000 tonnes, following their accession to the European Union.
14. Including allocations of 245 tonnes each for Estonia, Latvia, Lithuania and Poland out of a TAC of 22000 tonnes, following their accession to the European Union
15. Allocation of 3019 tonnes for Lithuania and 364 tonnes to Latvia following their accession to the European Union.
16. Applicable to 2007 and 2008.
17. The quota shares in footnotes 4 and 15 can only be fished in the NAFO Regulatory Area. If an increase in the overall TAC as defined in footnote 10 leads to an increase in these shares, the first 500 tonnes of that increase shall be added to the quota share referred to in footnote 4.
18. Including an allocation of 389 tonnes for Estonia, Latvia, and Lithuania following their accession to the European Union.

**CEM Annex I.B**  
**Effort Allocation Scheme for Shrimp Fishery in the**  
**NAFO Regulatory Area Div. 3M, 2007**

CONTRACTING PARTY	NUMBER OF FISHING DAYS	NUMBER OF VESSELS
<b>Canada</b>	456	16
<b>Cuba</b>	100	1
<b>Denmark</b>		
– Faroe Islands	1606	8
– Greenland	515	14
<b>European Union</b>	3293 <sup>1</sup>	33 <sup>1</sup>
<b>France (in respect of St Pierre et Miquelon)</b>	100	1
<b>Iceland</b>	N/A	N/A
<b>Japan</b>	100	1
<b>Korea</b>	100	1
<b>Norway</b>	1985	32
<b>Russia</b>	2100	N/A
<b>Ukraine</b>	100	1
<b>USA</b>	100	1

<sup>1</sup> Including fishing entitlements transferred from Poland (100 fishing days with one vessel), Estonia (1667 fishing days with 8 vessels), Latvia (490 fishing days with 4 vessels) and Lithuania (579 fishing days with 7 vessels) following their accession to the European Union.

**CEM Annex I.C**  
**Rebuilding Plan for 3LMNO Greenland Halibut**

Species	Greenland halibut	Greenland halibut	Greenland halibut	Greenland halibut
Division/ Contracting Party	3LMNO	3LMNO	3LMNO	3LMNO
	2004	2005	2006	2007
Canada	2223	2112	2056	1778
Cuba	-	-	-	-
Denmark (Faroe Islands and Greenland)	-	244	238	206
European Union	8203	8254 <sup>3</sup>	8038 <sup>4</sup>	6951 <sup>5</sup>
France (St Pierre et Miquelon)	-	230	224	194
Iceland	-	-	-	-
Japan	1519	1443	1405	1215
Korea	-	-	-	-
Norway	-	-	-	-
Russia	1890	1796	1748	1512
Ukraine	-	-	-	-
United States of America	-	-	-	-
Others	985 <sup>1</sup>	0 <sup>2</sup>	0 <sup>2</sup>	0 <sup>2</sup>
<b>TOTAL ALLOWABLE CATCH</b>	<b>14820</b>	<b>14079</b>	<b>13709</b>	<b>11856</b>

<sup>1</sup> Of which no more than 60% may be fished before 1 May in each year.

<sup>2</sup> In 2005, the previous 935 t "Others" quota was assigned to three Contracting Parties. When the TAC exceeds 30,000 t the next 1,300 t beyond 30,000 will be allocated to an Others quota which can be accessed by those who do not hold Greenland halibut allocation. In deciding the relevant contributions of Contracting Parties to the 1300 t Others quota, the Fisheries Commission will take into account the fact that some Contracting Parties received a benefit from the 935 t quota which was reassigned in 2005.

<sup>3</sup> Including an allocation of 461 tonnes for Estonia, Latvia and Lithuania following their accession to the European Union.

<sup>4</sup> Including an allocation of 450 tonnes for Estonia, Latvia and Lithuania following their accession to the European Union.

<sup>5</sup> Including an allocation of 389 tonnes for Estonia, Latvia and Lithuania following their accession to the European Union.

**Annex 10. Icelandic Proposal for Changing of Chapter VII in the CEM  
from a Pilot Project to Permanent Measure  
(STACTIC W.P. 06/33, Rev. 3 now FC Doc. 06/13)**

**Proposal**

In order to achieve this Iceland proposes the following changes to the NAFO conservation and enforcement measures

1. The following Chapter VII shall replace the current Chapter VII:

**Chapter VII**

**Electronic reporting, satellite tracking and observers**

**Article 50 - Scope**

1. Only vessels of Contracting Parties with functional VMS systems that have the necessary technical facilities in place to send electronic "observer reports" and "catch reports" are allowed to apply the provisions laid down in this chapter. **VMS messages have one hour interval.**
2. Contracting Parties shall notify the Executive Secretary of their intention to apply the provisions laid down in this chapter 30 days prior to the start of the fishing season.

**Article 51 - Implementation**

1. Participating Contracting Parties should notify the names of the vessels intending to apply the provisions of this chapter to the NAFO Secretariat. Such vessels shall have observers on board in accordance with Article 24 of the NAFO Conservation and Enforcement Measures.
2. However, by way of derogation from these measures a Contracting Party may withdraw observers from vessels applying the provisions of this chapter on the condition that the technical facilities on board the vessel necessary to send electronic "observer reports" and "catch reports" have been tested with the NAFO Secretariat and Contracting Parties with an inspection presence in the Regulatory Area.
3. The testing of this exchange shall be deemed successful once data exchanges have been completed with all recipients at a 100% reliability rate.
4. A Contracting Party with vessel or vessels applying the provisions of this chapter shall withdraw the observer for no more than **75%** of the time that the vessel or vessels spend in the Regulatory Area during the year.
5. When withdrawing observers Contracting Parties shall ensure that there is a balance between vessels with observers and without observers, in terms of the type of fishery in which the vessels are engaged.
6. Participating Contracting Parties shall provide at all times to the NAFO Secretariat the names of vessels applying the provisions of this chapter as well as the period during which they have no observer onboard. The Executive Secretary shall forward this information to all Contracting Parties.
7. In the case where a vessel without an observer is found by an inspector to be engaged in any infringement, the Contracting Party shall apply the provisions of Article 33, paragraphs 2 to 9 of the Scheme, as appropriate, and, when the vessel is not re-routed, it shall embark an observer without delay.
8. In addition to their duties under the Conservation and Enforcement Measures observers on board vessels applying the provisions of this chapter shall report daily by electronic channels via the FMC to the NAFO Secretariat ("OBR report") of his duties described in Article 24.4. a) i) to iv) of the Conservation and Enforcement Measures.

**Article 52 - Daily Reports**

1. Masters of vessels and observers applying the provisions of this chapter shall transmit daily reports by division.
2. The daily reports are to be received by the NAFO Secretariat by 1200 UTC daily. The report period will run from 0001 hours to 2400 hours of the previous day.
3. The catch reported in the daily report of the master will correspond with those recorded in the log.
4. The daily reports shall include as appropriate the amounts, by Division, of the following categories:
  - a) The daily catch by species retained on board
  - b) Discarding
  - c) Undersize fish
5. If the electronic means of transmitting daily reports (to and from FMC) is not functioning, the master and the observer will continue to report daily by other means keeping a written log of these transmissions on board and available to inspectors.
6. The templates for Daily Catch (CAX) and Observer Reports (OBR) are contained in Annex XX(a).

**Article 53 - Data Collection/Compilation/Analysis**

1. The Executive Secretary shall collect and compile, on a weekly basis, the data provided by the daily catch reports to compare, among other items, catch rates of species caught by Division, by-catch percentage rate, discard rates for similar fisheries. The details of this data compilation are outlined in Annex XX (b).
2. The Executive Secretary shall forward this information to Contracting Parties with an inspection presence.
3. The NAFO Secretariat shall monitor the receipt of daily reports from each vessel applying the provisions of this chapter. When a report has not been received for 2 consecutive days, the NAFO Secretariat will notify the relevant Contracting Party as well as Contracting Parties with an Inspection Presence.
4. The Executive Secretary shall make available as soon as possible the information received under paragraphs 2 and 3 to other Contracting Parties with an active inspection presence in the Regulatory Area. All reports and messages shall be treated in a confidential manner.

**Article 54 - Costs**

1. Subject to any other arrangements between Contracting Parties, each Contracting Party shall pay all its costs associated with this system.

**Article 55 - Follow-up**

1. Each Contracting Party (including those with an inspection presence) shall submit an interim report at the first annual meeting of the Fisheries Commission following adoption of the pilot project and a detailed report on the execution of the pilot project containing all necessary information at the annual meeting of the Fisheries Commission following completion of the pilot project. STACTIC supported by the Executive Secretary should evaluate the results of the pilot project at its next meeting on the basis of the criteria set out below as well as the objectives identified, together with any recommendations or proposals:
  - a) Compliance overall and notably comparison between vessels with and without observers.
  - b) Assessment by the Executive Secretary on issues related to data compatibility, data collection/compilation, and data transmission.

- c) Cost/savings; for the industry; for the authorities of the Contracting Party (including those with an inspection presence); for the NAFO Secretariat.
  - d) Interaction with traditional means of control.
  - e) Technical functioning of the Scheme and reliability.
2. **The elements of this chapter are subject to review as appropriate, for application in 2010 and subsequent years.**

2. The following Annex XX shall be added

**ANNEX XX (a)**

1. Daily Catch Report Chapter VII (CAX)

<b>Data Element:</b>	<b>Code:</b>	<b>Mandatory / Optional</b>	<b>Remarks:</b>
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, “XNW” for NAFO
Sequence Number	SQ	M	Message detail; message serial number in current year
Type of Message	TM	M	Message detail; message type, “CAX” as Catch report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Trip Number	TN	O	Activity detail; fishing trip serial number in current year
Vessel Name	NA	O	Vessel registration detail; name of the vessel
Contracting Party Internal Reference Number	IR	O	Vessel registration detail; unique Contracting Party vessel number as ISO-3 flag state code followed by number
External Registration Number	XR	O	Vessel registration detail; the side number of the vessel
Relevant Area	RA	M	Activity detail: NAFO Division
Latitude	LA	M <sup>1</sup>	Activity detail; position at time of transmission
Longitude	LO	M <sup>1</sup>	Activity detail; position at time of transmission
Daily Catches  species live weight	CA	M M	Activity detail; cumulative catch by species retained on board (exclusive of discards), either since commencement of fishing in R.A. <sup>2</sup> or last “Catch” report, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Discarding  species live weight	RJ	M	Activity detail; discarded catch by species, either since commencement of fishing in R.A. <sup>2</sup> or last “Catch” report, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Undersize  species live weight	US	M	Activity detail; undersize catch by species, either since commencement of fishing in R.A. <sup>2</sup> or last “Catch” report, in pairs as needed. FAO species code Live weight in kilograms, rounded to the nearest 100 kilograms
Date	DA	M	Message detail; date of transmission
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

1 Optional if a vessel is subject to satellite tracking

2 Meaning the first “Catch Report” in current fishing trip in the R.A.

## 2. Observer Report (OBR)

Data Element:	Code:	Mandatory / Optional	Remarks:
Start record	SR	M	System detail; indicates start of record
Address	AD	M	Message detail; destination, "XNW" for NAFO
Sequence Number	SQ	M	Message detail; message serial number in current year
Type of Message	TM	M	Message detail; message type, "OBR" as Observer report
Radio call sign	RC	M	Vessel registration detail; international radio call sign of the vessel
Fishing Gear	GE	M	Activity detail; FAO code for fishing gear
Directed Species <sup>7</sup>	DS	M	Activity detail; FAO species code
Mesh Size	ME	M	Activity detail; average mesh size in millimetres
Relevant Area	RA	M	Activity detail; NAFO Division
Daily Catches	CA	M	Activity detail; cumulative catch by species retained on board, (exclusive of discards), either since commencement of fishing in R.A. <sup>2</sup> or last "Catch" report, in pairs as needed.
species		M	FAO species code
live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Discarding	RJ	M <sup>1</sup>	Activity detail; discarded catch by species, either since commencement of fishing in R.A. <sup>2</sup> or last "Catch" report, in pairs as needed.
species			FAO species code
live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Undersize	US	M <sup>1</sup>	Activity detail; undersize catch by species, either since commencement of fishing in R.A. <sup>2</sup> or last "Catch" report, in pairs as needed.
species			FAO species code
live weight			Live weight in kilograms, rounded to the nearest 100 kilograms
Log Book	LB	M	Activity detail; "Yes" or "No" <sup>3</sup>
Production	PR	M	Activity detail; code for the production
Hails	HA	M	Activity detail; observers verification if the reports made by the captain are correct, "Yes" or "No" <sup>4</sup>
Apparent Infringements	AF	M	Activity detail; "Yes" or "No" <sup>5</sup>
Observer Name	ON	M	Message detail; name of the observer signing the report
Date	DA	M	Message detail; date of transmission
Free Text	MS	O <sup>6</sup>	Activity detail; for further comments by the observer
Time	TI	M	Message detail; time of transmission
End of record	ER	M	System detail; indicates end of the record

1 Only to be transmitted if relevant

2 Meaning the first "Catch Report" in current fishing trip in the R.A.

3 "Yes" if the observer approves the Log Book entries by the captain

4 "Yes" if the observer approves the Hails transmitted by the captain

5 "Yes" if an infringement is observed

6 Mandatory if "LB" = "No", or "HA" = "No", or "AF" = "Yes".

7 Directed species is the species which represents the greatest catch for that day

**ANNEX XX (b)**

Data to be compiled by Executive Secretary and Forwarded to Inspection Parties

Catch and Catch Rate Report (Weekly)

Vessel Type	Division	Species	Total catch	Total Effort	Catch Rate
With observer –Masters					
With observer – observer					
Without observer					

By-catch Report (Weekly)

Vessel Type	Division	Species	Total catch	Total Overall Catch	By-catch %
With observer –Masters					
With observer – observer					
Without observer					

Discards Report (Weekly)

Vessel Type	Division	Species	Total catch	Total Discards	Discard %
With observer –Masters					
With observer – observer					
Without observer					

**Annex 11. Fisheries Commission's Request for Scientific Advice on Management  
in 2008 of Certain Stocks in Subareas 2, 3 and 4**

(FC WP 06/22, Rev. now FC Doc. 06/10)

1. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 2007 Annual Meeting, provide advice on the scientific basis for the management of the following fish and invertebrate stocks or groups of stocks in 2008:

Northern shrimp in Div. 3M, 3LNO  
Greenland halibut in SA 2 and Div. 3KLMNO

2. The Fisheries Commission with the concurrence of the Coastal State as regards the stocks below which occur within its jurisdiction, requests that the Scientific Council, at a meeting in advance of the 2007 Annual Meeting, provide advice on the scientific basis for the management of the following fish stocks according to the following assessment frequency:

Two year basis

American plaice in Div. 3LNO  
Capelin in Div. 3NO  
Redfish in Div. 3M  
Thorny skate in Div. 3LNOPs  
White hake in Div. 3NOPs  
Yellowtail flounder in Div. 3LNO

Three year basis

American plaice in Div. 3M  
Cod in Div. 3NO  
Cod in Div. 3M  
Northern shortfin squid in SA 3+4  
Redfish in Div. 3LN  
Redfish in Div. 3O  
Witch flounder in Div. 2J+3KL  
Witch flounder in Div. 3NO

- In 2006, advice was provided for 2007 and 2008 for cod in Div. 3M, American plaice in Div. 3M, yellowtail flounder in Div. 3LNO, witch flounder in Div. 3NO, thorny skate in Div. 3LNOPs and northern shortfin squid in SA 3+4.

To implement this system of assessments, the Scientific Council is requested to conduct the assessment of these stocks as follows:

- In 2007, advice will be provided for 2008 and 2009 for American plaice in Div. 3LNO, redfish in Div. 3M, white hake in Div. 3NO and capelin in Div. 3NO. These stocks will be next assessed in 2009.
- In 2007, advice will be provided for 2008, 2009 and 2010 for redfish in Div. 3LN, redfish in Div. 3O, cod in Div. 3NO and witch flounder in Div. 2J+3KL. These stocks will be next assessed in 2010.
- In 2008, advice will be provided for 2009 and 2010 for yellowtail flounder in Div. 3LNO, and thorny skate in Div. 3LNOPs. These stocks will be next assessed in 2010.
- In 2008, advice will be provided for 2009, 2010 and 2011 for cod in Div. 3M, American plaice in Div. 3M, witch flounder in Div. 3NO, and northern shortfin squid in SA 3+4. These stocks will be next assessed in 2011.

The Fisheries Commission requests the Scientific Council to continue to monitor the status of all these stocks annually and, should a significant change be observed in stock status (e.g. from surveys) or in by-catches in other fisheries, provide updated advice as appropriate.

3. The Commission and the Coastal State request the Scientific Council to consider the following in assessing and projecting future stock levels for those stocks listed above:
  - a) The preferred tool for the presentation of a synthetic view of the past dynamics of an exploited stock and its future development is a stock assessment model, whether age-based or age-aggregated.

- b) For those stocks subject to analytical-type assessments, the status of the stocks should be reviewed and management options evaluated in terms of their implications for fishable stock size in both the short and long term. As general reference points, the implications of fishing at  $F_{0.1}$  and  $F_{2006}$  in 2008 and subsequent years should be evaluated. The present stock size and spawning stock size should be described in relation to those observed historically and those expected in the longer term under this range of options.
- c) For those stocks subject to general production-type assessments, the time series of data should be updated, the status of the stock should be reviewed and management options evaluated in the way described above to the extent possible. In this case, the level of fishing effort or fishing mortality (F) required to take two-thirds MSY catch in the long term should be calculated.
- d) For those resources for which only general biological and/or catch data are available, few standard criteria exist on which to base advice. The stock status should be evaluated in the context of management requirements for long-term sustainability and the advice provided should be consistent with the precautionary approach.
- e) Spawning stock biomass levels considered necessary for maintenance of sustained recruitment should be recommended for each stock. In those cases where present spawning stock size is a matter of scientific concern in relation to the continuing reproductive potential of the stock, management options should be offered that specifically respond to such concerns.
- f) Information should be provided on stock size, spawning stock sizes, recruitment prospects, fishing mortality, catch rates and TACs implied by these management strategies for the short and the long term in the following format:
- I. For stocks for which analytical-type assessments are possible, graphs should be provided of all of the following for the longest time-period possible:
    - historical yield and fishing mortality;
    - spawning stock biomass and recruitment levels;
    - catch options for the year 2008 and subsequent years over a range of fishing mortality rates
    - (F) at least from  $F_{0.1}$  to  $F_{max}$ ;
    - spawning stock biomass corresponding to each catch option;
    - yield-per-recruit and spawning stock per recruit values for a range of fishing mortalities.
  - II. For stocks for which advice is based on general production models, the relevant graph of production as a function of fishing mortality rate or fishing effort should be provided. Age aggregated assessments should also provide graphs of all of the following for the longest time period possible:
    - exploitable biomass (both absolute and relative to  $B_{MSY}$ )
    - yield/biomass ratio as a proxy for fishing mortality (both absolute and relative to  $F_{MSY}$ )
    - estimates of recruitment from surveys, if available.
  - III. Where analytical methods are not attempted, the following graphs should be presented, for one or several surveys, for the longest time-period possible:
    - time trends of survey abundance estimates, over:
      - an age or size range chosen to represent the spawning population
      - an age or size-range chosen to represent the exploited population
      - recruitment proxy or index for an age or size-range chosen to represent the recruiting population.
      - fishing mortality proxy, such as the ratio of reported commercial catches to a measure of the exploited population.

For age-structured assessments, yield-per-recruit graphs and associated estimates of yield-per-recruit based reference points should be provided. In particular, the three reference points, actual F,  $F_{0.1}$  and  $F_{max}$  should be shown.

4. Noting the Precautionary Approach Framework as endorsed by Fisheries Commission, the Fisheries Commission requests that the Scientific Council provide the following information for the 2007 Annual Meeting of the Fisheries Commission for all stocks under its responsibility requiring advice for 2008:

- a) the limit and precautionary reference points as described in Annex II of the UN Fisheries Agreement indicating areas of uncertainty (for those stocks for which precautionary reference points cannot be determined directly, proxies should be provided);
  - b) the stock biomass and fishing mortality trajectory over time overlaid on a plot of the PA Framework (for those stocks where biomass and/or fishing mortality cannot be determined directly, proxies should be used);
  - c) information regarding the current Zone the stock is within as well as proposals regarding possible harvest strategies to move the resource to (or maintain it in) the Safe Zone including medium term considerations and associated risk or probabilities which will assist the Commission in developing the management strategies described in paragraphs 4 and 5 of Annex II in the Agreement.
5. The following elements should be taken into account by the Scientific Council when considering the Precautionary Approach Framework:
- a) References to “risk” and to “risk analyses” should refer to estimated probabilities of stock population parameters falling outside biological reference points.
  - b) Where reference points are proposed by the Scientific Council as indicators of biological risk, they should be accompanied by a description of the nature of the risk associated with crossing the reference point such as recruitment overfishing, impaired recruitment, etc.
  - c) When a buffer reference point is proposed in the absence of a risk evaluation in order to maintain a low probability that a stock, measured to be at the buffer reference point, may actually be at or beyond the limit reference point, the Scientific Council should explain the assumptions made about the uncertainty with which the stock is measured.
  - d) Wherever possible, short and medium term consequences should be identified for various exploitation rates (including no fishing) in terms of yield, stability in yield from year to year, and the risk or probability of maintaining the stock within, or moving it to, the Safe Zone. Whenever possible, this information should be cast in terms of risk assessments relating fishing mortality rates to the trends in biomass (or spawning biomass), the risks of stock collapse and recruitment overfishing, as well as the risks of growth overfishing, and the consequences in terms of both short and long term yields.
  - e) When providing risk estimates, it is very important that the time horizon be clearly spelled out. By way of consequence, risks should be expressed in timeframes of 5, 10 and 15 years (or more), or in terms of other appropriate year ranges depending on stock specific dynamics. Furthermore, in order to provide the Fisheries Commission with the information necessary to consider the balance between risks and yield levels, each harvesting strategy or risk scenario should include, for the selected year ranges, the risks and yields associated with various harvesting options in relation to  $B_{lim}$ , and  $F_{lim}$  and target F reference points selected by managers.
6. Many of the stocks in the NAFO Regulatory Area are well below any reasonable level of  $B_{lim}$  or  $B_{buf}$ . For these stocks, the most important task for the Scientific Council is to inform on how to rebuild the stocks. In this context and building on previous work of the Scientific Council in this area, the Scientific Council is requested to evaluate various scenarios corresponding to recovery plans with timeframes of 5 to 10 years, or longer as appropriate. This evaluation should provide the information necessary for the Fisheries Commission to consider the balance between risks and yield levels, including information on the consequences and risks of no action at all.
- a) information on the research and monitoring required to more fully evaluate and refine the reference points described in paragraphs 1 and 3 of Annex II of the Agreement; these research requirements should be set out in the order of priority considered appropriate by the Scientific Council;
  - b) any other aspect of Article 6 and Annex II of the Agreement which the Scientific Council considers useful for implementation of the Agreement's provisions regarding the precautionary approach to capture fisheries; and

- c) propose criteria and harvest strategies for new and developing fisheries so as to ensure they are maintained within the Safe Zone.
7. Noting the desire of NAFO to apply ecosystem considerations in the conservation and management of fish stocks in the NAFO area, the Scientific Council is requested to provide the Fisheries Commission at its next annual meeting in 2007 with an overview of present knowledge related to role of seals in the marine ecosystem of the Northwest Atlantic and their impact on fish stocks in the NAFO area, taking into account the work of other relevant organizations, including ICES and NAMMCO.
8. Whether the following measures on Redfish in Division 3O, if applied in the NAFO Regulatory Area, are effective, in particular, in regard to addressing bycatch of species such as American plaice and Cod as conservation and management measure:
- 90 mm mesh size
  - Limiting the maximum permissible harvest of 15% (by number) of redfish 22cm or smaller, imposing 5% limit on the bycatch of any other groundfish species in the fishery
  - Closure of fishing for a minimum of 10 days after reaching or exceeding of either the small fish or bycatch levels
  - Re-opening of fishery through use of test fisheries
9. Regarding the precautionary closure to four seamount areas based on the ecosystem approach to fisheries (FC Doc. 06/5), using existing survey and commercial data from these seamount areas the Scientific Council is requested to provide the Fisheries Commission, at the 2007 Annual Meeting, recommendations on: 1) areas that could be fished on each seamount and, 2) a protocol for the collection of the data required to assess these seamounts, with a view to future recommendations on management measures for these areas.

**Annex 12. Resolution to Reduce Sea Turtle Mortality in NAFO Fishing Operations**  
**Proposal by the United States of America and Japan**  
 (FC WP 06/14 now FC Doc. 06/7)

**Background/Explanatory Memorandum:**

At its 26<sup>th</sup> Annual Symposium on Sea Turtle Biology and Conservation, the members of the International Sea Turtle Society (ISTS) adopted a resolution calling upon the world's regional fisheries management organizations (RFMOs) to urge their members to adopt and implement the FAO "Guidelines to Reduce the Mortality of Sea Turtles in Fishing Operations" (the FAO Guidelines). This ISTS resolution was forwarded to NAFO with a request for action.

It is generally agreed that RFMOs can play a valuable role in support of global adoption and implementation of the FAO Guidelines. Given NAFO's on-going efforts to minimize bycatch and the fledging NAFO initiative on application of ecosystem considerations to the Organization's fisheries management decision-making, NAFO should support global implementation of the FAO Guidelines as appropriate. As the waters of the Convention area include critical foraging habitat for the leatherback turtle (*Dermochelys coriacea*), adoption and implementation of the FAO Guidelines would be both proactive and precautionary.

Thus, it is proposed that, in addition to generally supporting adoption and implementation of the FAO Guidelines, NAFO Contracting Parties should provide information on existing domestic data collection (e.g., species identification, fate and condition at release, relevant biological information, and gear configuration) and/or observer training efforts relating to sea turtle interactions in NAFO-managed fisheries in the NAFO Convention Area.

NAFO should also consider, where appropriate, increasing cooperation both among NAFO Contracting Parties and with other regional, subregional and global organizations, to facilitate sharing of data and development of compatible and appropriate bycatch reduction measures. Such efforts may be enhanced by integration of sea turtle interaction data collection by NAFO observers.

**Proposal:**

**Resolution to Reduce Sea Turtle Mortality in NAFO Fishing Operations**

***Preamble:***

*Recognizing* the cultural and ecological significance of sea turtles in the Northwest Atlantic Ocean;

*Recognizing* that the FAO Committee on Fisheries (COFI) endorsed "Guidelines to Reduce Sea Turtle Mortality in Fishing Operations" at its Twenty-sixth Session, held in March 2005, and that these guidelines are directed towards members and non-members of FAO, fishing entities, subregional, regional and global organizations, whether governmental or non-governmental concerned with fisheries management and sustainable use of aquatic ecosystems;

*Further recognizing* that implementation of these guidelines should be consistent with the Code of Conduct for Responsible Fisheries as well as with the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem with regard to ecosystem considerations and based on the use of the best available science;

*Taking into account* the importance placed by the guidelines on research, monitoring, the sharing of information, and public education on sea turtles;

**The Contracting Parties of NAFO resolve as follows:**

1. NAFO Contracting Parties (CPs) should, as appropriate, individually and collectively implement the FAO "Guidelines to Reduce Sea Turtle Mortality in Fishing Operations" (the Guidelines) to reduce the incidental catch of sea turtles and ensure the safe handling of all turtles that are captured.

2. NAFO CPs should continue to enhance the implementation of their existing turtle mitigation measures using best available scientific information on mitigation techniques.
3. NAFO should encourage CPs to collect, and provide to the NAFO Secretariat, all available information on interactions with sea turtles in fisheries managed by NAFO in the NAFO Convention Area and urges them to foster collaboration with other CPs in the exchange of information in this area.
4. NAFO should cooperate with other regional, subregional and global organizations to share data on sea turtle bycatch and to develop and apply compatible bycatch reduction measures as appropriate.
5. Beginning in 2007, CPs should provide to the NAFO Secretariat a detailing of sea turtle fishery interaction data (e.g., species identification, fate and condition at release, relevant biological information and gear configuration), including data collected by their respective national observer programs, in fisheries managed by NAFO in the NAFO Convention Area and any sea turtle-specific training provided to these observers. This information will be compiled by the NAFO Secretariat and reported to the Scientific Council and to the Fisheries Commission.
6. The Fisheries Commission should monitor the progress of CPs in applying this resolution and develop relevant strategies for the further consideration of the Commission in 2008. Information produced as a result of this resolution will be provided by the NAFO Secretariat to the FAO.

**Annex 13. Proposal on Precautionary Closure to Four Seamount Areas  
based on the Ecosystem Approach to Fisheries**

(FC WP 06/11, Rev. 5 now FC Doc. 06/5)

**Background/ Explanatory Memorandum**

At the 2005 annual meeting, NAFO agreed to launch a process to modernize itself by incorporating and implementing modern fisheries management and conservation standards established by current international fisheries instruments, including the 1982 United Nations Convention on the Law of the Sea and the 1995 United Nations Fish Stocks Agreement.

As part of this process, the Fisheries Commission adopted in 2005 a proposal (NAFO/FC Doc. 05/7) on ecosystem approach to fisheries (EAF) interim measures, which included a request to seek additional information on four seamounts located in the NAFO Regulatory Area.

Recently, the United Nations (UN) Secretary-General published a report outlining actions taken by States and regional fisheries management organizations (RFMOs) to address the impacts of fishing on vulnerable marine ecosystems in response to UN General Assembly Resolution 59/25. This issue will be discussed at the UN General Assembly in November 2006. An evaluation of the report indicates that more could be done by RFMOs, including NAFO, to protect potentially sensitive marine areas.

Canada is proposing that a cautious approach be adopted by NAFO to address the impacts of fishing on benthic habitats, communities and species. Consistent with the Canadian proposal, Contracting Parties could allow a small scale and cautious exploratory fishery to gather data to be provided to the Scientific Council. This would enable NAFO to improve its knowledge of these seamount areas and better assess the impact of fishing activities on these areas.

This approach would assist in determining the future management strategy that could apply to these and other seamount areas, on an individual basis.

**Proposal**

It is proposed that the following measures be undertaken in order to further implement precautionary and ecosystem-based approaches for the protection of seamounts.

Amend Article 12, paragraphs 5 and 6 of the NAFO Conservation and Enforcement Measures with the following new paragraphs:

5. As of January 1, 2007, and until December 31, 2010, the following areas shall be closed to all fishing activities involving demersal fishing gears. The closed areas are defined by connecting the following coordinates (in numerical order and back to coordinate 1).

Area	Coordinate 1	Coordinate 2	Coordinate 3	Coordinate 4
Orphan Knoll	50°00'30"N 45°00'30"W	51°00'30"N 45°00'30"W	51°00'30"N 47°00'30"W	50°00'30"N 47°00'30"W
Corner Seamounts	35°00'00"N 48°00'00"W	36°00'00"N 48°00'00"W	36°00'00"N 52°00'00"W	35°00'00"N 52°00'00"W
Newfoundland Seamounts	43°29'00"N 43°20'00"W	44°00'00"N 43°20'00"W	44°00'00"N 46°40'00"W	43°29'00"N 46°40'00"W
New England Seamounts	35°00'00"N 57°00'00"W	39°00'00"N 57°00'00"W	39°00'00"N 64°00'00"W	35°00'00"N 64°00'00"W

6. At the 2007 Annual Meeting, the Fisheries Commission shall consider providing access to a small scale and restricted exploratory fishery, effective January 1, 2008, not to exceed 20% of the fishable area of each seamount. These representative areas that may be fished on each seamount will be

- recommended by the Scientific Council based on existing survey and commercial data from these seamount areas. Scientific Council is requested to provide the Fisheries Commission, at the 2007 Annual Meeting, recommendations on: 1) areas that could be fished on each seamount and, 2) a protocol for the collection of the data required to assess these seamounts, with a view to future recommendations on management measures for these areas.
7. Contracting Parties shall provide the Executive Secretary, in advance of the June 2007 Scientific Council meeting, with all existing data from survey and commercial fisheries that have taken place in these seamount areas. The Executive Secretary will forward this information to the Scientific Council for its review in making the above noted recommendations to the Fisheries Commission.
  8. Vessels may only fish in the defined areas in accordance with the protocol established by the Scientific Council and adopted by the Fisheries Commission. In addition to the protocol, vessels fishing in the areas defined in paragraph 5, shall have a scientific observer onboard.
  9. If vessels fishing in the areas defined in paragraph 5 encounter hard corals, notification of the location of the coral area is to be provided to the Executive Secretary which will implement an immediate temporary closure of that area to all Contracting Parties pending a Fisheries Commission decision at the next Annual Meeting.
  10. The measures referred to in paragraphs 5-9 shall be reviewed in 2010 by the Fisheries Commission, based on the advice from the Scientific Council, and a decision shall be taken on future management measures which may include extending the application of these measures for an additional period or making the closure(s) permanent.